

TPDES – Construction General Permit for Stormwater

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Texas Pollutant Discharge Elimination System

- Construction General Permit
 - TXR150000 – Expires March 5, 2018



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Construction General Permit

- Authorizes
 - Stormwater associated with construction activity
 - Discharges of stormwater associated with construction support activities
 - Certain non-stormwater discharges



What is Construction?

Includes:

- Land clearing
- Grading
- Excavation
- Demolition
- Road expansion
- Activities that disturb or expose soil

Does not include:

- Routine maintenance or grading of existing roads
- Tree removal w/o soil disturbance
- Agricultural activities



Size of Construction Site

- **Large Construction Sites**
 - Equal to or greater than 5 acres, or
 - Part of a common plan of development
- **Small Construction Sites**
 - More than 1 acre, but less than 5 acres, or
 - Part of a common plan of development
- **Less than 1 acre**



Large Site

- Read permit
- Prepare and implement Stormwater Pollution Prevention Plan (SWP3)
- Submit Notice of Intent (NOI) and fee separately
- Post Site Notice for large sites
- Notify MS4 operator, if applicable
- Adhere to permit requirements
- Submit Notice of Termination (NOT)



Small Site

- Read permit
- Prepare and implement SWP3
- Post Site Notice for small sites
- Notify MS4, if applicable
- Adhere to permit requirements



Less than 1 Acre

- Read permit
- Implement and maintain BMPs
- SWP3, NOI, NOT, fee are not required
- Notify MS4, if applicable

****Poor management of unpermitted sites may result in a violation or citation.***



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SWPPP INFORMATION

STATE OF TEXAS
DEPARTMENT OF ENVIRONMENTAL QUALITY
CONSTRUCTION SITE NOTICE
[Illegible text]

STATE OF TEXAS
DEPARTMENT OF ENVIRONMENTAL QUALITY
CONSTRUCTION SITE NOTICE
[Illegible text]

CONSTRUCTION SITE NOTICE
[Illegible text]

LARGE CONSTRUCTION SITE NOTICE
[Illegible text]

[Illegible text]

[Illegible text]

LARGE CONSTRUCTION SITE NOTICE
[Illegible text]

**SWPPP
Binder and
Maps
Are Located in
Jobsite Trailer**

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Common Plan of Development (CPD)

- Construction activity completed in separate stages or phases or in combination with other construction activities
- May include one or more operators
- Total acreage disturbed determines size of site and applicability of permit requirements



Common Plan of Development Example

- A subdivision is being built. Builder 1 is grading 0.75 acres, Builder 2 is clearing 4 different acres, and Builder 3 is excavating another 0.5 acres.
- The total area being disturbed is 5.25 acres, so each operator must follow the requirements associated with a large site disturbing 5 or more acres.



Stormwater Pollution Prevention Plan (SWP3)

- Comprehensive site evaluation
- Requires updates – “living document”
- Develop and implement SWP3 prior to:
 - Start of Construction
 - Submitting Notice of Intent aka NOI and paying fee (large construction site)
- Stays on site or made readily available



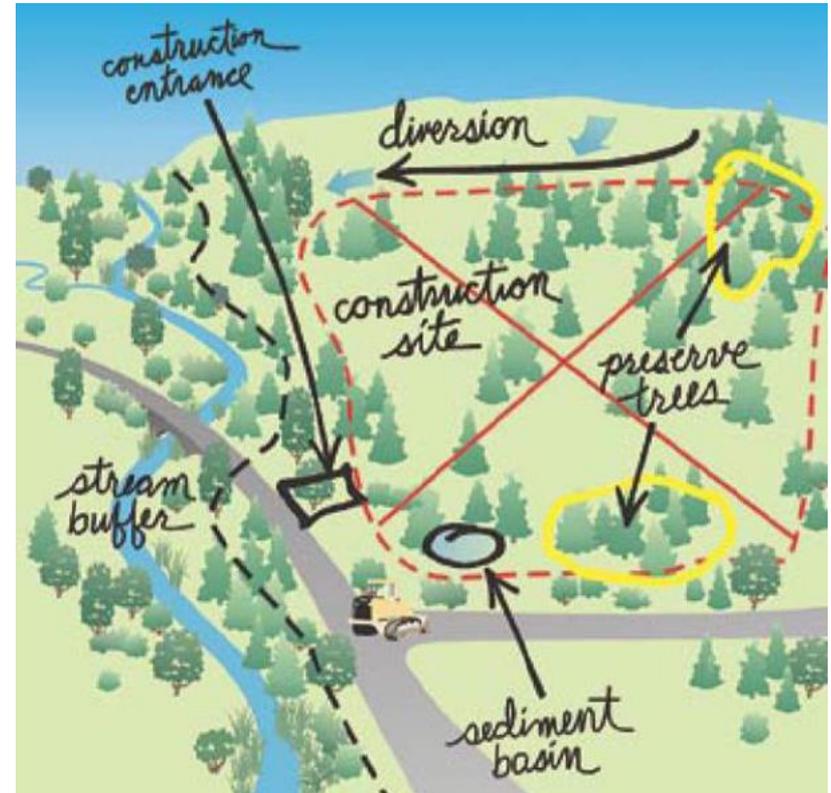
Details of a SWP3

- Describe site and schedule of activities.
- Identify potential contaminants.
- Describe BMPs and controls.
- Record maintenance and operator inspections.



SWP3

- Pollution Prevention team (qualified personnel)
- Physical features of site
- Potential pollutant sources
- Non-stormwater discharges
- Exposed material inventory
- BMP to manage runoff
- Assessment of controls
- Spill prevention and response



Best Management Practices

- Choose the right BMP for the situation
- Ensure that BMPs are installed correctly
- Develop a maintenance program



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Operator Inspections

Qualified personnel must inspect:

- Disturbed areas of soil
- Material storage
- Structural controls
- Vehicle entrances/exits



Frequency of Inspections

- Every 14 days **and** within 24 hours of ½ inch rainfall

OR

- Every 7 days (same day)

Keep copies of inspection reports with SWP3.



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Inspection Report

- Summary on scope of inspection
- Name and qualification of the inspector
- Major observations
 - discharge of sediment or pollutants from the site
 - location of BMPs requiring maintenance
 - location of BMPs that failed
 - location where additional BMPs are needed

Update SWP3 and modify/repair BMP as soon as possible or before next rainfall event



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Terminating CGP Coverage

Submit a Notice of Termination (NOT) when:

- Final stabilization achieved
- Operational control transferred
- Alternative authorization obtained



Final Stabilization

- All soil disturbing activities completed
- Even distribution of perennial cover to a density of 70% of native background
- Excludes areas that are:
 - paved
 - covered by permanent structures
 - covered with equivalent permanent stabilization measures



Termination of Construction Activity

- Meet final stabilization requirements
- Remove temporary BMPs
- Remove site notice
- Submit NOT to TCEQ and a copy to MS4 (if applicable)- primary operator at large site only
- Submit completed copy of site notice to MS4 (if required)- secondary operator at large site & all operators at small site



CGP Fees & Coverage

- Paper NOI
 - \$325 application fee
 - 7 days from the postmark
- Electronic NOI via STEERS
 - \$225 application fee
 - Immediate coverage after confirmation of receipt
- No annual water quality fees





Site Navigation

Cleanups, Remediation

Emergency Response

Licensing

Permits, Registration

Preventing Pollution

Recycling

Reporting

Rules

Data

Forms

Maps

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>> Questions or Comments: sbap@tceq.texas.gov

Assistance Tools for Construction Stormwater General Permits

Resources for small businesses and local governments that can help them comply with construction stormwater permits. Stormwater runoff from construction activities can have a significant impact on water quality. As stormwater flows over a construction site, it picks up pollutants like sediment, debris, and chemicals, and deposits them in creeks, streams, rivers, lakes, etc. The Stormwater Permitting Program requires operators of construction sites that disturb one or more acres of land to obtain permit coverage.

The TCEQ Small Business and Local Government Assistance section developed the following tools to help construction-site owners and operators comply with stormwater permitting requirements. The documents on this page are in various file formats (help downloading files).

Tools

- Construction General Permit, TXR150000
- Primary and Secondary Operators Under the Construction General Permit (RG-468)
- Delegation of Signatories to Reports
- SWP3 Worksheets PDF or DOCX and Instructions
- Site Notice for Small Construction Activities — This form is required for activities that disturb one acre or more but less than five acres of land, including those activities which are part of a larger common plan of development that disturb one acre or more but less than five acres.
- Site Notice for Primary Operators of Large Construction Activities — This form is required of primary operators for activities which disturb five or more acres of land, including those activities which are part of a larger common plan of development that disturb five or more acres.
- Site Notice for Secondary Operators of Large Construction Activities — This form is required of secondary operators for activities which disturb five or more acres of land, including those activities which are part of a larger common plan of development that disturb five or more acres.
- Rainfall Erosivity Waiver
- Erosion Control Best Management Practices
- Home Owner Transfer Notice
- Rainfall Erosivity Factor Calculator



**Read
the
permit.**

Why is TCEQ at your site?

- Reconnaissance Investigation
- Complaint Investigation
- Scheduled inspection –
Comprehensive Compliance
Investigation (CCI)



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Entrance Interview

- Investigation objectives – CCI
- Applicable Rules – TPDES Construction General Permit No. TXR150000 under provisions of Section 402 of the Clean Water Act and Chapter 26 of the Texas Water Code
- Safety requirements required by Operator



Operator Control

- Operator ensures project specs allow or provide adequate BMPs
- Ensures that the SWP3 identifies parties responsible for implementation of BMPs
- Ensure that SWP3 meets the requirements of the CGP



Shared SWP3

- Does shared SWP3 list the name and general permit no. for each operator
- Does the SWP3 indicate which operator is responsible for satisfying each shared requirement of the SWP3



Complaints associated with storm water



BMPs & Structural Control Failure





BMPs & Structural Control Failure



Common Investigation Findings

- Failure to obtain permit coverage
- Failure to post NOIs and/or construction site notices
- Failure to develop and/or implement SWP3
- Failure to update SWP3
- Failure to conduct periodic inspections
- Failure to maintain BMPs
- Failure to submit NOT



Common Investigation Findings



Non-Compliant BMPs







Waste/Debris Containment



Ineffective Controls



Compliant BMPs



Velocity Disruptors



Tracking Pad



Exit Interview

- Investigator discusses findings with Operator at the close of the inspection
- Issues are identified on the Exit Interview Form
- Operator provided with a Customer Satisfaction Survey
- Regulated Entity will receive a letter



Stormwater Program Contacts

- **SW Permitting Program** (technical)
 - PH: 512-239-4671
 - wqap@tceq.texas.gov
- **SW Processing Center** (admin forms)
 - PH: 512-239-3700
 - swpermit@tceq.texas.gov



Additional Agency Contacts

- **STEERS** (to submit forms online)
 - PH: 512-239-6925
 - steers@tceq.texas.gov
- **SBLGA:**
 - sbap@tceq.state.tx.us
 - TCEQ Regional Offices



Questions?



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