TXDOT STATEWIDE PERMIT

Adrienne Boer, CFM, CPESC, PMP
Program Manager
Operations Compliance
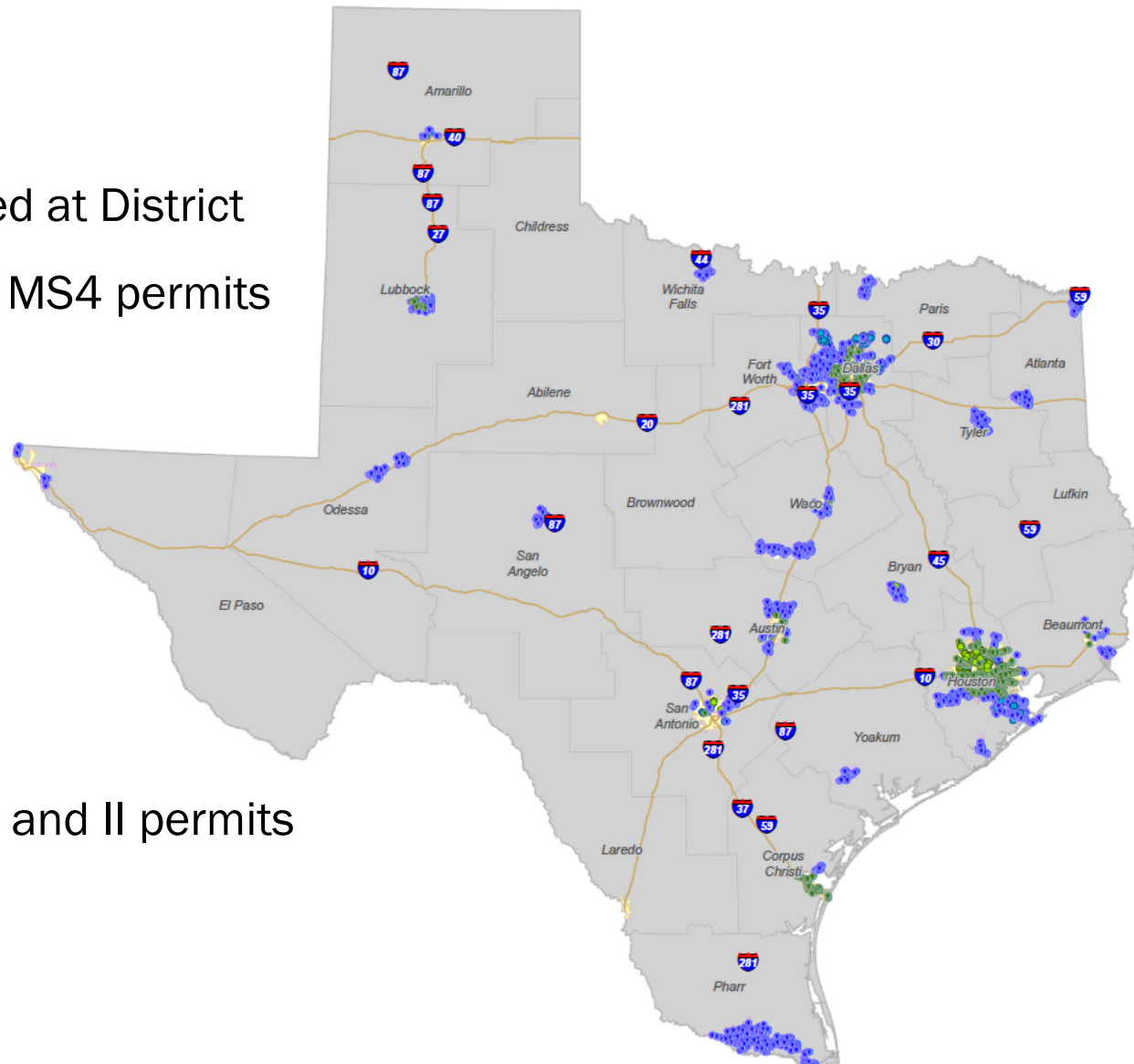TxDOT Environmental Affairs

TxDOT MS4 Program

- Current TxDOT Program

- Draft Statewide Permit

- Applying Lessons Learned

- Tools Development

Current TxDOT MS4 Program

- TxDOT permits managed at District

- 23 of 25 districts have MS4 permits

- 34 Permits:

  – 13 Phase I permits

  – 2 Combined Phase I and II permits

  – 19 Phase II permits

Majority of DOTs have Phase II and Individual Permits

- Permits for DOTs:

  - 27 state DOTs covered by Phase II general permit

  - 11 state DOTs have DOT-specific individual permit

  - 5 state DOTs not covered by NPDES permit

  - Remaining 7 permitted by DOT district, co-permitted, or combination of permit types

TxDOT Statewide Permit

- Applied for Statewide Individual Permit

  - Statewide = MS4 regulated area, not all roads in the state

- Streamline 34 permits into 1 statewide permit

- Simplify reporting (1 report per year vs. 34)

- Standardize statewide SWMP specific to TxDOT operations

- Maintain fiscally responsible program

- Focus where TxDOT has authority and influence

  - No ordinance development capability

  - Limited legal authority, only within ROW

How is Statewide Permit different?

- Modeled after Phase II Permit

  – Includes requirements from Phase I permits

  – Anti-backsliding

  – Includes new Phase II areas from 2010 census

- Focus on programmatic enhancements for IDDE

- Facility inspections

- Mapping permanent controls

- Enhanced TMDL requirements

- Enhanced training requirements

Status of Statewide Permit WQ0005011000

- EPA and TCEQ concurrence on permit issuance

- TCEQ received public comment

- TCEQ published Final Decision Letter and Response to Comments (RTC)

  – One change to permit based on comments (clarification)

- TCEQ received Hearing Request

- TCEQ currently reviewing Hearing Request

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

COMBINED
NOTICE OF RECEIPT OF APPLICATION AND INTENT TO OBTAIN A WATER QUALITY
PERMIT AND NOTICE OF APPLICATION AND PRELIMINARY DECISION
FOR TPDES PERMIT RENEWAL WITH A MAJOR AMENDMENT FOR A MUNICIPAL
SEPARATE STORM SEWER SYSTEM

PERMIT NO. WQ0005011000

APPLICATION AND PRELIMINARY DECISION. Texas Department of Transportation (TxDOT), 125 E 11th Street, Austin, Texas 78701, which operates the TxDOT Municipal Separate Storm Sewer System (MS4) throughout the state, has applied to the Texas Commission on Environmental Quality (TCEQ) for a Statewide TPDES Permit No. WQ0005011000 to authorize stormwater point source discharges to surface water in the state from the TxDOT Phase I MS4 and Phase II MS4 regulated areas. TCEQ received this application on March 18, 2013.

Replaced and Superseded Permits and Authorizations: On its effective date the Statewide Permit No. WQ0005011000 replaces and supersedes the following individual Phase I MS4 permit and Phase II MS4 General Permit TXR040000 Authorization. The following are located in the TxDOT **Austin District**:

Phase I Individual Permit: WQ0004645000 (expired October 7, 2013).

Phase II General Permit Authorization: All Phase II authorizations expired August 12, 2012, but were administratively continued until TXR040000 was re-issued on December 13, 2013.

Expired permits and authorizations are administratively continued until the issuance of the Statewide Permit.

New Phase II Areas: New MS4 areas that, based on the 2010 U.S. Bureau of Census, are located in an urbanized area (UA) and were not included in an UA based on the 2000 U.S. Bureau of Census, are covered under the Statewide Permit. The **Austin District** has new MS4 areas.

Applying Lessons Learned to the Statewide Permit

- EPA encourages adjustments to program elements
  - "...de-emphasize some program components and strengthen others, based on the experience gained under the first permit."

    - *"Interpretative Policy Memorandum on Reapplication Requirements for Municipal Separate Storm Sewer Systems"*

Highlighting what we have we learned

- 3rd Party outfalls

  – Coordinating with adjacent MS4s is key

- Investigating and monitoring 3rd party outfalls will provide greater water quality improvements and measures of SWMP effectiveness

- 20 years of Phase I characterization monitoring has met the objective

- Oversight of construction activities at the programmatic level

  - Alleviate perceptions through rigorous auditing process

  - TxDOT inspection of TxDOT projects

    - Audit the inspector – are they following up on violations?

    - Document processes – does the documentation back this up?

    - Document follow-up

    - MS4 program oversight

Statewide Permit Implementation

- Enhanced IDDE program in lieu of stormwater characterization monitoring

  - Collect water quality samples from illicit discharges

- Increased 3rd Party Outfall Investigation (IDDE)

  - For stormwater pollutants originating outside ROW

  - Investigation performed during outfall mapping and regularly by Maintenance staff

- Must work closely with neighboring MS4s

  - TxDOT has no enforcement authority to implement ordinances, assess fines

- Evaluate water quality data collected by:

  - NCTCOG, RWWCP

  - Houston Area Wet Weather Characterization Monitoring

  - National Stormwater Quality Database

  - TCEQ Clean Rivers Program

- Perform TMDL Assessment by analyzing contribution

- Outfall Mapping

- Annual Reporting

- External Tools

- Internal Tools

Outfall Mapping

- Completed statewide in MS4 regulated area

- Tablet-based data collection

  - Ipad or Android

  - GPS capable

  - Drop-downs for consistency

  - Real time

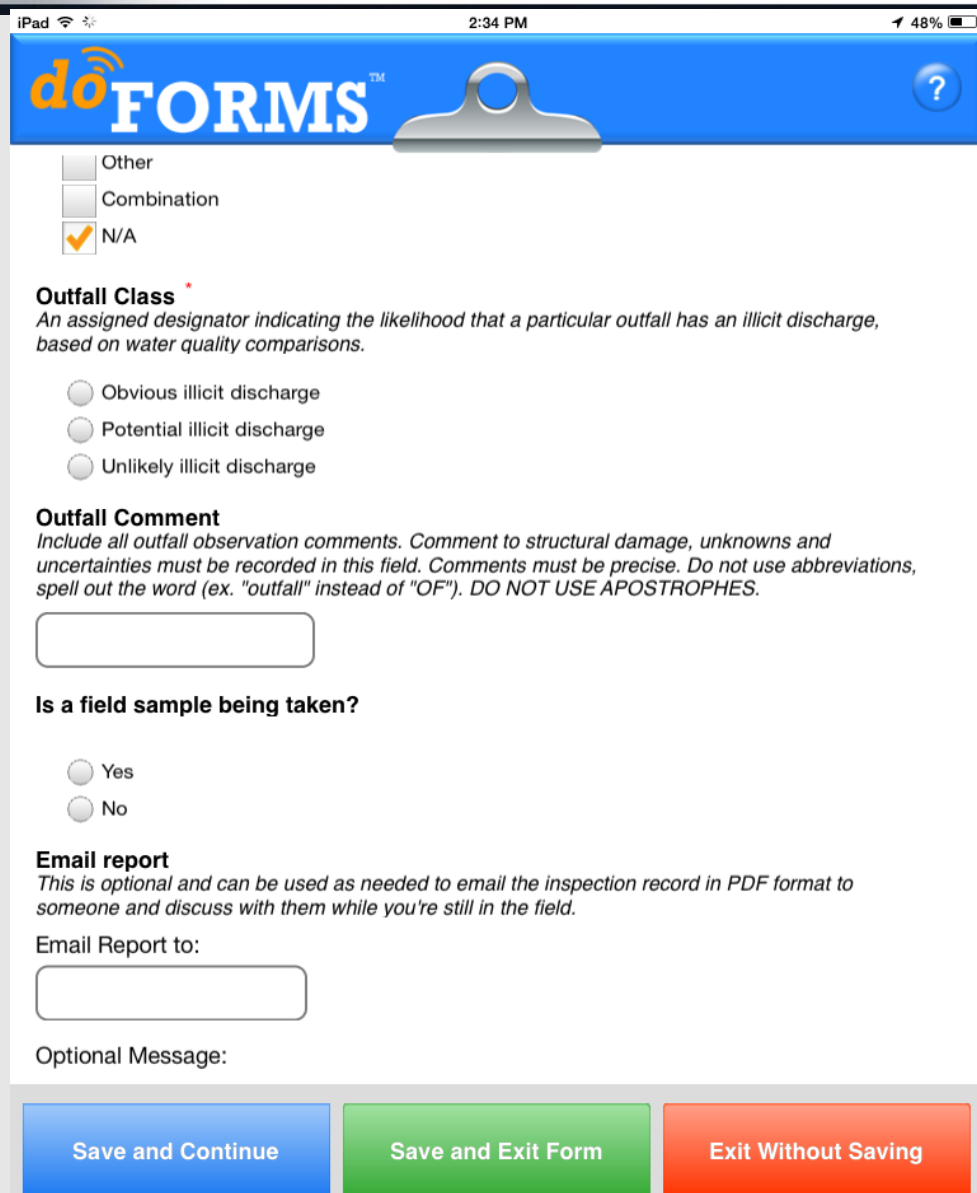- IDDE, facility inspection, data verification

- TxDOT Form available for free

  - adaptable

DoFORMS Data Collection

- District
- Outfall Name/number
- Location (Lat/Long) with description
- Photos
- Precipitation info (antecedent conditions)
- Outfall type (outfall, third party)
- Outfall shape, material, height
- Deposits, staining, vegetation conditions
- Flow odor, flow color, discharge route, volume, rate estimate
- Turbidity
- Floatables
- Outfall class
- Comments
- Field sampling data

DoFORMS Data Collection

- Report can be directly emailed
  - Potential illicit discharge? Verify and confirm with office staff immediately.

DoFORMS Data Collection

Annual Reporting

- One Annual Report for statewide permit

- Completed at district level for district's activities

- Roll-up of district activities into overall statewide program

- .xls spreadsheet format

  – Ease of use, no special software

- Distribution of activities to TCEQ Regions

Complexity of Statewide Annual Report

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                         ┌─────────────────────────┐
                         │  Statewide Annual Report │
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Division	District 1	District 2	District 3	District 4	District 5	District 6	District 7, etc, up to 23 Districts
GIS	Contruction	Contruction	Contruction	Contruction	Contruction	Contruction	Contruction
Maintenance	Engineering	Engineering	Engineering	Engineering	Engineering	Engineering	Engineering
PIO	HR Traning	HR Traning	HR Traning	HR Traning	HR Traning	HR Traning	HR Traning
	PIO	PIO	PIO	PIO	PIO	PIO	PIO

- Division-level:

  – GIS

    • Outfall mapping, IDDE

  – Maintenance

    • Mowing, illegal dumping, Adopt-a-Highway, vegetation control

  – Public Information Office

    • Don't Mess with Texas, public outreach

- District-level:

  – Fill-in-the-blank preformatted templates specific to a point of contact

  – As automated as possible for ease of use and consistency

Map Viewer

- http://txdot.maps.arcgis.com/apps/webappviewer/index.html?id=1d5da6a79a124f1c8840554ce78d427f

  – Search arcgis.com for "TxDOT MS4 areas"

- Provides 2000 and 2010 Census Areas

- Displays outfalls

MS4 NOI
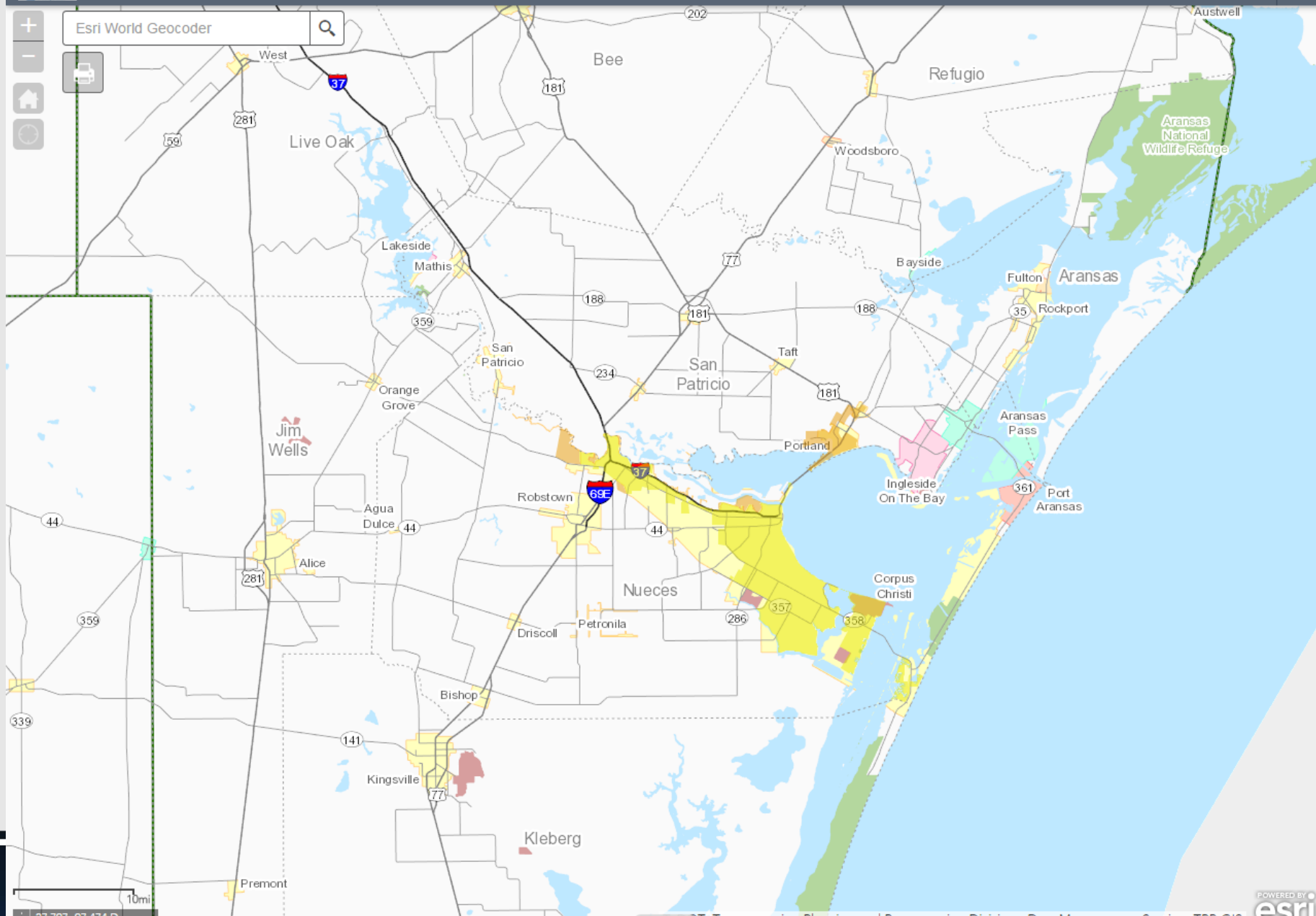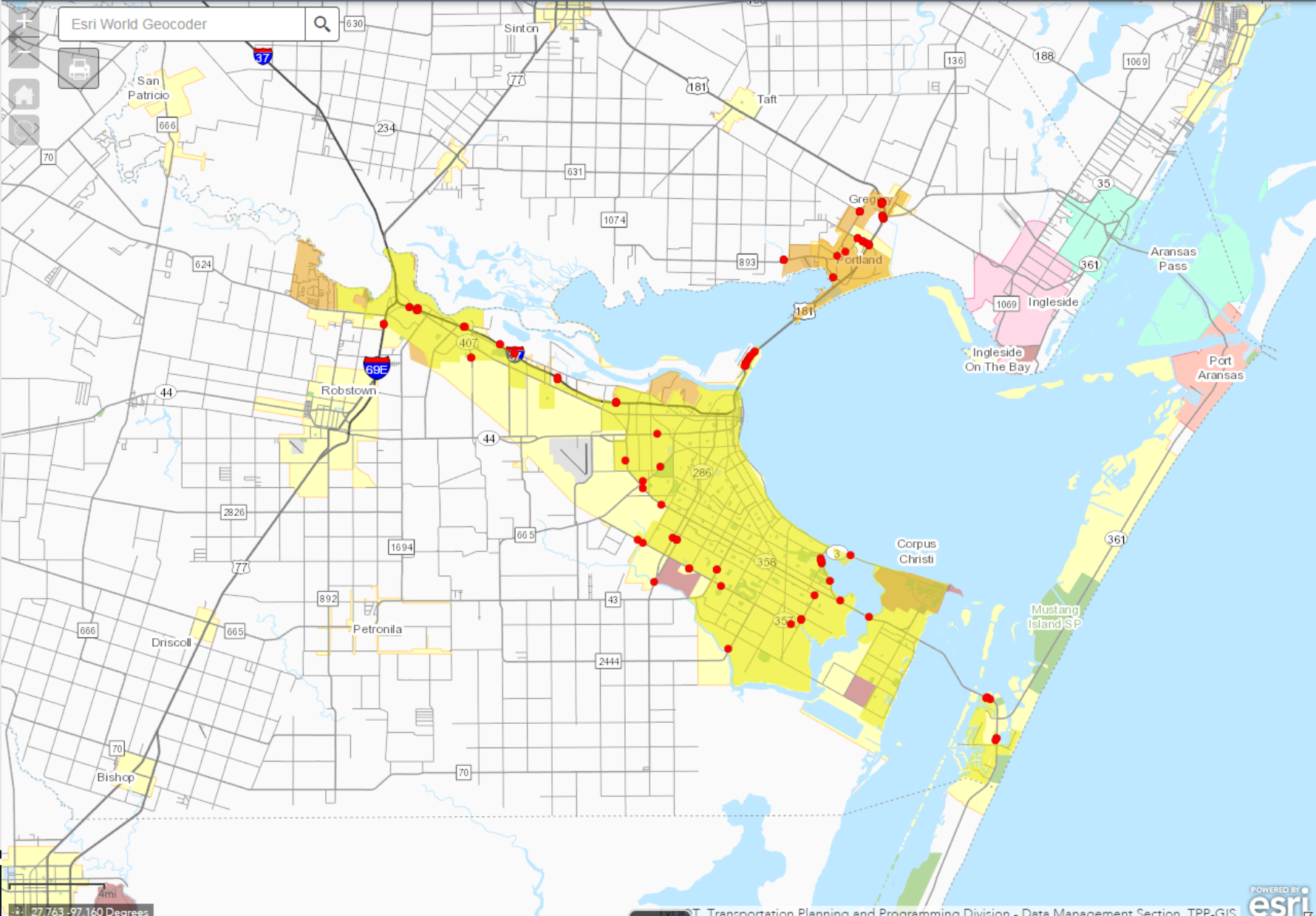
- If your project drains to the TxDOT ROW, we need to be notified

- <u>Search "TxDOT NOI"</u>

  - <u>Shows MS4 map per District, and contact info for sending NOI</u>

  - <u>http://www.txdot.gov/inside-txdot/division/environmental/ms4-noi.html</u>

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TEXAS DEPARTMENT OF TRANSPORTATION

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Divisions

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- Communications
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- Fleet Operations
- General Counsel
- Government Affairs
- Human Resources
- Information Management
- Internal Audit
- Maintenance
- Maritime
- Occupational Safety
- Procurement
- Professional Engineering Procurement Services
- Project Finance, Debt and Strategic Contracts

MS4 Notice of Intent (NOI)

Home > Inside TxDOT > Divisions > Environmental Affairs

If you plan to discharge construction storm water into TxDOT's MS4 system, you must provide a copy of the signed NOI to the district. To determine the NOI contact for the district, contact the general information office using the information below.

NOI Contacts

MS4 Map	District Contacts
Abilene	Abilene
Amarillo	Amarillo
Atlanta	Atlanta
Austin	Austin
Beaumont	Beaumont
Brownwood	Brownwood
Bryan	Bryan
Childress	Childress
Corpus Christi	Corpus Christi
Dallas	Dallas
El Paso	El Paso

Home

Resource Type

Memos and Policy

Forms and Templates

Training

Manuals, Guides, and SOPs

Specifications, Standards, and APLs

TCEQ Resources

EPA Resources

Agreements

Research

Anti-Pollution Campaigns and Publications

Useful Websites

Subject (MCM)

Public Education (MCM 1)

Storm Sewer Pollution Prevention (MCM 2)

Construction (MCM 3)

Post-Construction (MCM 4)

Operations and Maintenance (MCM 5)

Impaired Waters

Edwards Aquifer

General Stormwater Resources

If you have difficulty using this site, try switching browsers.

TxDOT's stormwater program relies on hundreds of resources that are housed by multiple divisions and organizational units within TxDOT, as well as other agencies. This site is intended to provide a single Hub or "one-stop-shop" of existing MS4 and CGP resources.

To find something on this site:

- Browse by Resource Type or Subject (MCM) to the left or from the drop down menus in the grey banner above;
- Use the search feature in the top right corner of this page; or,
- Download and review the 📊 Hub Index, which indexes everything on this site by the page it is posted on.

You can leave feedback about this site on the Hub Discussion Board, or contact Amy.Foster@TxDOT.gov.

For a list of updates to this site, and instruction for how to get an alert when something on this site changes, skip to the Updates page.

For CGP and SWP3 resources, skip to the Construction Stormwater page.

For maintenance or facilities management resources, skip to the Operations and Maintenance page.

https://txdot.sharepoint.com/sites/division-ENV/stormwater/hub/SitePages/MCM%201.aspx

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MCM 1
Public Education, Outreach, and Involvement

The MS4 permit requires TxDOT to develop, implement, and maintain a comprehensive stormwater education and outreach program to educate employees, contractors, and the traveling public of hazards associated with illegal discharges, improper disposal of waste, floatables, toxic materials, used oil, disposal and management of pesticides, herbicides and fertilizers and about the impact that stormwater discharges can have on local waterways, as well as the steps that the traveling public can take to reduce pollutants in stormwater.

Don't Mess with Texas

Don't Mess With Texas Water (to report illigal dumping)

All TxDOT stormwater training is relevent to MCM 1. See the Training Page for all classes.

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Memos and Policy

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MS4 Memos

Memo(s) pertaining to the MS4 program in general.

CGP Authorization Memos

Memos that pertain to determining if CGP authorization is required, who is responsible for obtaining CGP authorization, and how to obtain CGP authorization in various circumstances.

BMP Memos

Memos pertaining to erosion control, sediment control, and good housekeeping on construction and/or maintenance projects.

Compliance Memos

Memos pertaining to DEQC inspections, contractor issues, and how to deal with NOVs.

EMS Memos

EMS memos that are relevant to the MS4 and CGP program.

Maintenance Facilities Memos

Memos pertaining to hazardous materials and good housekeeping at maintenance facilities.

Non-TxDOT Memos

EPA and TCEQ memos that are relevant to the MS4 and CGP programs.

These memo(s) pertain to the MS4 program in general

MS4 Memos

Municipal Separate Storm Sewer System (MS4) Inter-Local/Jurisdictional Agreement with Local Government, 2012.

BMP Memos

Memos pertaining to erosion control, sediment control, and good housekeeping on construction and/or maintenance projects.

Memos pertaining to hazardous materials and good housekeeping at maintenance facilities.

Non-TxDOT Memos

EPA and TCEQ memos that are relevant to the MS4 and CGP programs.

These memo(s) pertain to the MS4 program in general

MS4 Memos

Municipal Separate Storm Sewer System (MS4) Inter-Local/Jurisdictional Agreement with Local Government, 2012.
Sets standard to establish inter-local agreements with MS4 co-permittees, and provides an inter-local agreement template. See Standard Contracts on the Contract Services Crossroads site for the most recent version of this agreement template (look under "Inter-local").

These memos pertain to determining if CGP authorization is required, who is responsible for obtaining CGP authorization, and how to obtain CGP authorization in various circumstances

CGP Authorization Memos

TxDOT and Contractor Co-Permittees SP 506-003 and SP 007-004, 2016.
Describes the co-permittee relationship between TxDOT and the contractor under SPs 506-003 and 007-004.

Storm Water Compliance - Requirements for Construction Projects Let By Local Governments, 2013.
Discusses who has primary and secondary operator responsibilities (e.g., who files the NOI) under the CGP on local government-let projects. Also excludes such projects from the EMS.

Construction General Permit Compliance for Fireguards, 2009.
Discusses when CGP authorization is required for fireguards (i.e., firebreaks) bladed along the right-of-way during emergency situations, and how to obtain it.

...n of CGP Notices of Intent, 2004.

Authorization to Discharge Storm Water from Construction and Maintenance Sites and attached sketch, 2003.
Describes responsibility for CGP compliance on PSLs (i.e., who files the NOI), and how PSLs affect the total disturbed acreage of the project.

Construction General Permit Authorization to Discharge Storm Water from Maintenance Work, 2003.
Clarifies the types of maintenance activities that do and do not require authorization under the CGP.

These memos pertain to erosion control, sediment control, and good housekeeping during construction and/or maintenance activities

BMP Memos

Project Vegetation Establishment, 2011 and Project Vegetation Establishment, 2013.
Discusses how to comply with CGP final stabilization requirements during drought conditions.

Best Management Practices (BMPs) Options for TxDOT Storm Water System Maintenance Operations, 2005.
Discusses BMPs related to the handling and disposition of storm water associated with sediment removal operations (e.g., removal using a vactor truck).

Deposit of Debris on Private Property, 2003.
Prohibits utilization of private property as spoil sites, and establishes a process and a template agreement to allow disposal of soil and other inert material on adjacent property under certain circumstances.

Preservation of Native Growth on Highways, 1963.
Directs that consideration be given to the preservation of native growth along highways during construction and reconstruction work.

These memos pertain to DEQC inspections, contractor issues, and how to deal with NOVs

Compliance Memos

Reporting Environmental Citations and Potential Noncompliance Violations (NOV), 2012 and Reporting Environmental Citations and Potential Noncompliance Violations (NOV), 2015.
Describes the process to respond to an NOV, and the process to report an NOV internally using ENV_Citation@TxDOT.gov.

Project Environmental Requirements and District Environmental Quality Coordinator

Stormwater Hub

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Manuals, Guides, and SOPs

Page Contents

Manuals
Guides
SOPs
Non-TxDOT Guidance (TCEQ, EPA, FHWA, etc.)

Manuals

Environmental Management System Manual

PS&E Preparation Manual. See Chapter 2, Section 3, Plan Set Preparation (Storm Water Pollution Prevention Plans).

Project Development Process Manual. See Chapter 3, Environmental and Chapter 5, Section 7, 5600: Design Storm Water Pollution Prevention Plan.

Hydraulic Design Manual. See Chapter 13, Storm Water Management.

Maintenance Management Manual. See Chapter 5, Section 6, Storm Water Management.

Herbicide Operations Manual

Maintenance Operations Manual. See Chapter 2, Roadway (litter, vegetation management, storm water management, abandoned hazardous materials, emergency spill response, etc.).

Roadside Vegetation Management Manual

Snow and Ice Control Operations Manual

Landscape and Aesthetics Design Manual. See Chapter 4, Section 4, Topography and Grading.

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Useful Websites

Public Storm Water Program external website

Stormwater SharePoint page

AOTS Outfall Map Crossroads site. See also AOTS Outfall Map (2012).

Environmental Management System (EMS) websites:

- EMS external website
- EMS Crossroads site
- EMS General SharePoint site

Petroleum Storage Tank Compliance SharePoint page

Hazardous Materials Toolkit

Hazardous Materials Management Branch Crossroads site

Hydrology and Hydraulics Crossroads site

Maintenance Field Support Section Crossroads site (revegetation, pesticides, herbicides, de-icing, etc.)

TxDOT Publications for Kids

Summary

- Applying lessons learned from previous permit terms

- Embarking on new statewide permit

- Use our tools to help your program

- Notify us if you discharge to TxDOT ROW

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