

Storm Water Pollution Prevention Plan (SWPPP)

For

University of Texas Lady Bird Johnson Wildflower Center

4801 La Crosse Avenue
Austin, Travis County, Texas 78739-1702



Prepared for:
Lady Bird Johnson Wildflower Center
University of Texas at Austin
4801 La Crosse Avenue
Austin, TX 78739

Submitted by:
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for:

Lady Bird Johnson Wildflower Center

University of Texas at Austin

4801 La Crosse Avenue

Austin, TX 78739

Operator(s):

Lady Bird Johnson Wildflower Center

University of Texas at Austin

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Austin, TX 78739

SWPPP Contact(s):

SpawGlass

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SWPPP Preparation Date:

July 2013

Estimated Project Dates:

Project Start Date: 08/01/2013

Project Completion Date: 08/01/2014



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SECTION 1: SITE EVALUATION, ASSESSMENT, AND PLANNING

1.1 Project/Site Information

Instructions:

- In this section, you can gather some basic site information that will be helpful to you later when you file for permit coverage.
- For more information, see *Developing Your Stormwater Pollution Prevention Plan: A SWPPP Guide for Construction Sites* (also known as the *SWPPP Guide*), Chapter 2
- Detailed information on determining your site's latitude and longitude can be found at www.epa.gov/npdes/stormwater/latlong

Project/Site Name: Lady Bird Johnson Wildflower Center

Project Street/Location: 4801 La Crosse Avenue

City: Austin State: TX ZIP Code: 78739

County or Similar Subdivision: Travis County

Latitude/Longitude (Use **one** of three possible formats, and specify method)

Latitude:

Longitude:

- | | |
|---|---|
| 1. 30 ° 11 ' 11" N (degrees, minutes, seconds) | 1. 97 ° 52 ' 27" W (degrees, minutes, seconds) |
| 2. __ ° __ . __ ' N (degrees, minutes, decimal) | 2. __ ° __ . __ ' W (degrees, minutes, decimal) |
| 3. __ . __ __ ° N (decimal) | 3. __ . __ __ ° W (decimal) |

Method for determining latitude/longitude:

- ☐ USGS topographic map (specify scale: _____) ☐ EPA Web site ☐ GPS
- ☒ Other (please specify): Google Earth

Is the project located in Indian country? ☐ Yes ☒ No

If yes, name of Reservation, or if not part of a Reservation, indicate "not applicable." _____

Is this project considered a federal facility? ☐ Yes ☒ No

NPDES project or permit tracking number*: _____

*(This is the unique identifying number assigned to your project by your permitting authority after you have applied for coverage under the appropriate National Pollutant Discharge Elimination System (NPDES) construction general permit.)



1.2 Contact Information/Responsible Parties

Instructions:

- List the operator(s), project managers, stormwater contact(s), and person or organization that prepared the SWPPP. Indicate respective responsibilities, where appropriate.
- Also, list subcontractors expected to work on-site. Notify subcontractors of stormwater requirements applicable to their work.
- See *SWPPP Guide*, Chapter 2.B.

Operator(s):

SpawGlass
Chris Schubnell
1111 Smith Rd.
Austin, TX 78721
512-719-5251

Project Manager(s) or Site Supervisor(s):

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SWPPP Contact(s):

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1.3 Nature and Sequence of Construction Activity

Instructions:

- Briefly describe the nature of the construction activity and approximate time frames (one or more paragraphs, depending on the nature and complexity of the project).
- For more information, see *SWPPP Guide*, Chapter 3.A.

Describe the general scope of the work for the project, major phases of construction, etc:

The proposed project will consist of gardens and natural landscape areas serviced by walking paths throughout with all associated utility, sidewalk, grading, drainage, and landscape improvements. The site is currently undeveloped grassland. The site is located within the Slaughter Watershed and is in the Barton Springs Zone.

Additionally, the site is in the Edwards Aquifer Recharge Zone. The subject tract is located within a 100-year FEMA designated flood plain as shown on FEMA Map (panel # 48453C0590H).

Erosion and sedimentation controls will be the first items placed on site along with stabilized construction exits. Excavation and grading will follow. After this the utilities will be installed and the buildings constructed. The later construction activities will include paving, prior to removing the erosion and sedimentation controls and opening the site.

What is the function of the construction activity?

- ☐ Residential ☐ Commercial ☐ Industrial ☐ Road Construction ☐ Linear Utility
☒ Other (please specify): Public Park

Estimated Project Start Date: 8 / 1 / 2013

Estimated Project Completion Date: 8 / 1 / 2014



1.4 Soils, Slopes, Vegetation, and Current Drainage Patterns

Instructions:

- Describe the existing soil conditions at the construction site including soil types, slopes and slope lengths, drainage patterns, and other topographic features that might affect erosion and sediment control.
- Also, note any historic site contamination evident from existing site features and known past usage of the site.
- This information should also be included on your site maps (See *SWPPP Guide*, Chapter 3.C.).
- For more information, see *SWPPP Guide*, Chapter 3.A.

Soil type(s):

The site is predominantly SsC (Speck stony clay loam).

Slopes:

The site is generally flat (1 to 5 percent slopes) After grading and fill activities, most of the site will continue to have minor slopes (1 to 5 percent slopes).

Drainage Patterns:

Currently, the site drains to the south and east through sheet flow and shallow concentrated flow conditions.

Vegetation:

The site is grassland with Oak and Cedar trees throughout.



1.5 Construction Site Estimates

Instructions:

- Estimate the area to be disturbed by excavation, grading, or other construction activities, including dedicated off-site borrow and fill areas.
- Calculate the percentage of impervious surface area before and after construction
- Calculate the runoff coefficients before and after construction.
- For more information, see *SWPPP Guide*, Chapter 3.A and Appendix C.

The following are estimates of the construction site.

Total project area:	41.23 acres
Construction site area to be disturbed:	4.13 acres
Percentage impervious area before construction:	0 %
Runoff coefficient before construction:	80
Percentage impervious area after construction:	1 %
Runoff coefficient after construction	80



1.6 Receiving Waters

Instructions:

- List the waterbody(s) that would receive stormwater from your site, including streams, rivers, lakes, coastal waters, and wetlands. Describe each as clearly as possible, such as *Mill Creek, a tributary to the Potomac River*, and so on.
- Indicate the location of all waters, including wetlands, on the site map.
- Note any stream crossings, if applicable.
- List the storm sewer system or drainage system that stormwater from your site could discharge to and the waterbody(s) that it ultimately discharges to.
- If any of the waterbodies above are impaired and/or subject to Total Maximum Daily Loads (TMDLs), please list the pollutants causing the impairment and any specific requirements in the TMDL(s) that are applicable to construction sites. Your SWPPP should specifically include measures to prevent the discharge of these pollutants.
- For more information, see *SWPPP Guide*, Chapter 3.A and 3.B.
- Also, for more information and a list of TMDL contacts and links by state, visit www.epa.gov/npdes/stormwater/tmdl.

Description of receiving waters:

The site is located within the Slaughter Watershed and the Edwards Aquifer Recharge Zone.

Description of storm sewer systems:

The site runoff flows through sheet flow conditions to rain gardens spaced throughout the site. The water that is collected in the rain garden is routed through a series of PVC pipes to a headwall at the south east portion of the site. The water then flows out of the headwall into a natural creek which eventually conveys the runoff off site.

Description of impaired waters or waters subject to TMDLs:

N/A

Other:



1.7 Site Features and Sensitive Areas to be Protected

Instructions:

- Describe unique site features including streams, stream buffers, wetlands, specimen trees, natural vegetation, steep slopes, or highly erodible soils that are to be preserved.
- Describe measures to protect these features.
- Include these features and areas on your site maps.
- For more information, see *SWPPP Guide*, Chapter 3.A and 3.B.

Description of unique features that are to be preserved:

There are many protected and heritage trees on the site. The site is a scenic nature landscape.

Describe measures to protect these features:

Over 100 heritage and protected trees will be protected and the majority of the natural landscape will be undisturbed.



1.8 Potential Sources of Pollution

Instructions:

- Identify and list all potential sources of sediment, which may reasonably be expected to affect the quality of stormwater discharges from the construction site.
- Identify and list all potential sources of pollution, other than sediment, which may reasonably be expected to affect the quality of stormwater discharges from the construction site.
- For more information, see *SWPPP Guide*, Chapter 3.A.

Potential sources of sediment to stormwater runoff:

Sediment from runoff: Storm water runoff over disturbed, bare soil.

Sediment from non-storm water discharges: Wind blown dust, vehicle entrance/exits, soil dumping, de-watering excavations, concrete wash-out, ect.

Potential pollutants and sources, other than sediment, to stormwater runoff:

Solid Wastes: Trash/debris blown, washed or dumped onsite.

Miscellaneous industrial materials: improper use, storage, spills or dumping of construction materials.



1.9 Endangered Species Certification

Instructions:

- Identify and list all potential sources of sediment, which may reasonably be expected to affect the quality of stormwater discharges from the construction site.
- Identify and list all potential sources of pollution, other than sediment, which may reasonably be expected to affect the quality of stormwater discharges from the construction site.
- For more information, see *SWPPP Guide*, Chapter 3.A.

Are endangered or threatened species and critical habitats on or near the project area?

☐ Yes ☒ No

Describe how this determination was made:

[Site observation](#)

If yes, describe the species and/or critical habitat:

[N/A](#)

If yes, describe or refer to documentation that determines the likelihood of an impact on identified species and/or habitat and the steps taken to address that impact. (Note, if species are on or near your project site, EPA strongly recommends that the site operator work closely with the appropriate field office of the U.S. Fish and Wildlife Service or National Marine Fisheries Service. For concerns related to state or tribal listing of species, please contact a state or tribal official.)



1.10 Historic Preservation

Instructions:

- Before you begin construction, you should review federal and any applicable state, local, or tribal historic preservation laws and determine if there are historic sites on or near your project. If so, you might need to make adjustments to your construction plans or to your stormwater controls to ensure that these historic sites are not damaged.
- For more information, see *SWPPP Guide*, Chapter 3.B or contact your state or tribal historic preservation officer.

Are there any historic sites on or near the construction site?

☐ Yes ☒ No

Describe how this determination was made:

[Site observation](#)

If yes, describe or refer to documentation that determines the likelihood of an impact on this historic site and the steps taken to address that impact.



1.11 Applicable Federal, Tribal, State or Local Programs

Instructions:

- Note other applicable federal, tribal, state or local soil and erosion control and stormwater management requirements that apply to your construction site.

N/A



1.12 Maps

Instructions:

- Attach site maps. For most projects, a series of site maps is recommended. The first should show the undeveloped site and its current features. An additional map or maps should be created to show the developed site or for more complicated sites show the major phases of development.

These maps should include the following:

- Direction(s) of stormwater flow and approximate slopes before and after major grading activities;
- Areas and timing of soil disturbance;
- Areas that will not be disturbed;
- Natural features to be preserved;
- Locations of major structural and non-structural BMPs identified in the SWPPP;
- Locations and timing of stabilization measures;
- Locations of off-site material, waste, borrow, or equipment storage areas;
- Locations of all waters of the United States, including wetlands;
- Locations where stormwater discharges to a surface water;
- Locations of storm drain inlets; and
- Areas where final stabilization has been accomplished.
- For more information, see *SWPPP Guide*, Chapter 3.C.

The Site Maps are included in the Appendix of the SWPPP.



SECTION 2: EROSION AND SEDIMENT CONTROL BMPS

Instructions:

- Describe the BMPs that will be implemented to control pollutants in stormwater discharges. For each major activity identified, do the following
 - ✓ Clearly describe appropriate control measures.
 - ✓ Describe the general sequence during the construction process in which the measures will be implemented.
 - ✓ Describe the maintenance and inspection procedures that will be used for that specific BMP.
 - ✓ Include protocols, thresholds, and schedules for cleaning, repairing, or replacing damaged or failing BMPs.
 - ✓ Identify staff responsible for maintaining BMPs.
 - ✓ (If your SWPPP is shared by multiple operators, indicate the operator responsible for each BMP.)
- Categorize each BMP under one of the following 10 areas of BMP activity as described below:
 - 2.1 Minimize disturbed area and protect natural features and soil**
 - 2.2 Phase Construction Activity**
 - 2.3 Control Stormwater flowing onto and through the project**
 - 2.4 Stabilize Soils**
 - 2.5 Protect Slopes**
 - 2.6 Protect Storm Drain Inlets**
 - 2.7 Establish Perimeter Controls and Sediment Barriers**
 - 2.8 Retain Sediment On-Site and Control Dewatering Practices**
 - 2.9 Establish Stabilized Construction Exits**
 - 2.10 Any Additional BMPs**
- Note the location of each BMP on your site map(s).
- For any structural BMPs, you should provide design specifications and details and refer to them. Attach them as appendices to the SWPPP or within the text of the SWPPP.
- For more information, see *SWPPP Guide*, Chapter 4.
- Consult your state's design manual or one of those listed in Appendix D of the *SWPPP Guide*.
- For more information or ideas on BMPs, see EPA's National Menu of BMPs
<http://www.epa.gov/npdes/stormwater/menuofbmps>



2.1 Minimize Disturbed Area and Protect Natural Features and Soil

Instructions:

- Describe the areas that will be disturbed with each phase of construction and the methods (e.g., signs, fences) that you will use to protect those areas that should not be disturbed. Describe natural features identified earlier and how each will be protected during construction activity. Also describe how topsoil will be preserved. Include these areas and associated BMPs on your site map(s) also. (For more information, see SWPPP Guide, Chapter 4, ESC Principle 1.)
- Also, see EPA's *Preserving Natural Vegetation BMP Fact Sheet* at www.epa.gov/npdes/stormwater/menuofbmps/construction/preserve_veg

Topsoil

BMP Description:

Topsoil stripped from the immediate construction area will be stockpiled in an area that will not interfere with the construction area and at least 15 feet away from any areas of concentrated flows or pavement. The slopes of the stockpile will not exceed 2:1 to prevent erosion. A silt fence will be installed around the perimeter of the stockpile, in accordance with design specifications in Section 2, part 7. The stockpile will be temporarily stabilized with erosion controls as described in Section 2, part 4.

☐

Permanent

☒

Temporary

Installation Schedule:	Topsoil stockpiles will be established during grading activities. Temporary stabilization will be applied immediately after the slopes of the stockpile have been graded and construction equipment transverse the slopes.
Maintenance and Inspection:	The area will be inspected weekly for erosion and immediately after storm events. Areas on or around the stockpile will be stabilized immediately with erosion controls. Maintenance and inspection procedures for silt fence are described in Section 2, part 7.
Responsible Staff:	SpawGlass



2.2 Phase Construction Activity

Instructions:

- Describe the intended construction sequencing and timing of major activities, including any opportunities for phasing grading and stabilization activities to minimize the overall amount of disturbed soil that will be subject to potential erosion at one time. Also, describe opportunities for timing grading and stabilization so that all or a majority of the soil disturbance occurs during a time of year with less erosion potential (i.e., during the dry or less windy season). (For more information, see *SWPPP Guide*, Chapter 4, ESC Principle 2.) It might be useful to develop a separate, detailed site map for each phase of construction.
- Also, see EPA's *Construction Sequencing BMP Fact Sheet* at http://www.epa.gov/npdes/stormwater/menuofbmps/construction/cons_seq

- Before any site grading activities begin
 1. Install perimeter silt fences (Section 2.7)
 2. Construct stabilized construction exits (Section 2.9)Duration of phase (8/1/2013, 8/1/2014)
- Site Grading
 1. Begin site clearing
 2. Begin overall site grading and topsoil stripping
 3. Establish topsoil stockpile (Section 2.1)
 4. Install silt fences around stockpile (Section 2.7)
 5. Disturbed areas where construction will cease for more than 14 days will be stabilized with erosion controls (Section 2.4)Duration of phase (8/1/2013, 8/1/2014)
- Infrastructure (utilities, parking lot, etc.)
 1. Construct staging and materials storage area (Section 3.2)
 2. Install temporary sanitary facilities and dumpsters (Section 3.1)
 3. Install utilities, sanitary sewers, and water servicesDuration of phase (8/1/2013, 8/1/2014)
- Building Construction
 1. Construct temporary concrete washout area (Section 3.3)
 2. Begin construction of building foundations and structures
 3. Remove temporary concrete washout area (Section 3.3)Duration of phase (8/1/2013, 8/1/2014)



- Final Stabilization and Landscaping
 1. Remove all temporary control BMPs and stabilize any areas disturbed by the removal of the erosion controls
 2. Prepare final seeding and landscaping
 3. Monitor stabilized areas until final stabilization is reachedDuration of phase (8/1/2013, 8/1/2014)



2.3 Control Stormwater Flowing onto and through the Project

Instructions:

- Describe structural practices (e.g., diversions, berms, ditches, storage basins) including design specifications and details used to divert flows from exposed soils, retain or detain flows, or otherwise limit runoff and the discharge of pollutants from exposed areas of the site. (For more information, see *SWPPP Guide*, Chapter 4, ESC Principle 3.)

BMP Description: N/A

Installation Schedule:	
Maintenance and Inspection:	
Responsible Staff:	



2.4 Stabilize Soils

Instructions:

- Describe controls (e.g., interim seeding with native vegetation, hydroseeding) to stabilize exposed soils where construction activities have temporarily or permanently ceased. Also describe measures to control dust generation. Avoid using impervious surfaces for stabilization whenever possible. (For more information, see SWPPP Guide, Chapter 4, ESC Principle 4.)
- Also, see EPA's *Seeding BMP Fact Sheet* at www.epa.gov/npdes/stormwater/menuofbmps/construction/seeding

Temporary stabilization

BMP Description:

The vegetative stabilization of areas disturbed by construction shall be as follows:

1. From September 15 to March 1, seeding shall be with cool season cover crops (Wheat at 0.5 pounds per 1000 SF, Oats at 0.5 pounds per 1000 SF, Cereal Rye Grain at 0.5 pounds per 1000 SF) with a total rate of 1.5 pounds per 1000 SF. Cool season cover crops are not permanent erosion control.

2. From March 2 to September 14, seeding shall be with hulled Bermuda at a rate of 1 pound per 1,000 SF.

- A. Fertilizer shall be water soluble with an analysis of 15-15-15 to be applied once at planting and once during the period of establishment at a rate of 1/2 pound per 1000 SF.
- B. Hydromulch shall comply with Table 1, below.
- C. Temporary erosion control shall be acceptable when the grass has grown at least 1 1/2 inches high with 95% coverage, provided no bare spots larger than 16 square feet exist.
- D. When required, native grass seeding shall comply with requirements of the City of Austin Environmental Criteria Manual.

Table 1: Hydromulching for Temporary Vegetative Stabilization

Description	Longevity	Typical Applications	Application Rates
70% Or Greater Wood/Straw 30% Or Less Paper Or Natural Material	0-3 months	Moderate slopes; from flat to 3:1	45.9 lbs/1000 sf
<div> <input type="checkbox"/> Permanent <input checked="" type="checkbox"/> Temporary </div>			
Installation Schedule:		Immediately for any area disturbed by construction	
Maintenance and Inspection:		Temporary vegetation stabilization areas will be inspected weekly and after storm events to check for movement of mulch or erosion. If washout, breakage, or erosions occurs, the surface will be repaired, and new mulch will applied to the damaged area.	
Responsible Staff:		SpawGlass	



Permanent Stabilization

BMP Description:

Permanent stabilization will be done immediately after the final design grades are achieved and no later than 14 days after construction ceases. Native species of plants will be used to establish vegetative cover on exposed soils. Permanent stabilization will be completed in accordance with the final stabilization procedures in Section 7.

<input checked="" type="checkbox"/> Permanent <input type="checkbox"/> Temporary	
Installation Schedule:	Portions of the site where construction activities have permanently ceased will be stabilized, as soon as possible but no later than 14 days after construction ceases.
Maintenance and Inspection:	All seeded areas will be inspected weekly during construction activities for failure and after storm events until a dense cover of vegetation has been established. If failure is noticed at the seeded area, the area will be reseeded, fertilized, and mulched immediately. After construction is completed at the site, permanently stabilized areas will be monitored until final stabilization is reached.
Responsible Staff:	SpawGlass

Dust Control

BMP Description:

Dust from the site will be controlled by using a mobile pressure-type distributor truck to apply potable water to disturbed areas. The mobile unit will apply water at a rate of 300 gallons per acre and minimized as necessary to prevent runoff.

<input type="checkbox"/> Permanent <input checked="" type="checkbox"/> Temporary	
Installation Schedule:	Dust control will be implemented as needed once site grading has been initiated and during windy conditions (forecasted or actual wind conditions of 20 mph or greater) while site grading is occurring. Spraying of potable water will be performed no more than three times a day during months of May-September and once per day during the months of October-April or whenever the dryness of the soil warrants it.
Maintenance and Inspection:	At least one mobile unit will be available at all times to distribute potable water to control dust on the project area. Each mobile unit will be equipped with a positive shutoff valve to prevent over watering of the disturbed area. For vehicle and equipment maintenance practices see Section 3.5.
Responsible Staff:	SpawGlass



2.5 Protect Slopes

Instructions:

- Describe controls (e.g., erosion control blankets, tackifiers) including design specifications and details that will be implemented to protect all slopes. (For more information, see *SWPPP Guide*, Chapter 4, ESC Principle 5.)
- Also, see EPA's *Geotextiles BMP Fact Sheet* at www.epa.gov/npdes/stormwater/menuofbmps/construction/geotextiles

Geotextile Erosion Control Blanket

BMP Description: N/A

Installation Schedule:	
Maintenance and Inspection:	
Responsible Staff:	



2.6 Protect Storm Drain Inlets

Instructions:

- Describe controls (e.g., inserts, rock-filled bags, or block and gravel) including design specifications and details that will be implemented to protect all inlets receiving stormwater from the project during the entire project. (For more information, see *SWPPP Guide*, Chapter 4, ESC Principle 6.)
- Also, see EPA's *Storm Drain Inlet Protection BMP Fact Sheet* at www.epa.gov/nodes/stormwater/menuofbmps/construction/storm_drain

Under Construction Storm Drain Inlet Protection

BMP Description:

N/A

Installation Schedule:	
Maintenance and Inspection:	
Responsible Staff:	



2.7 Establish Perimeter Controls and Sediment Barriers

Instructions:

- Describe structural practices (e.g., silt fences or fiber rolls) including design specifications and details to filter and trap sediment before it leaves the construction site. (For more information, see *SWPPP Guide*, Chapter 4, ESC Principle 7.)
- Also see, EPA's *Silt Fence BMP Fact Sheet* at www.epa.gov/npdes/stormwater/menuofbmps/construction/silt_fences, or *Fiber Rolls BMP Fact Sheet* at www.epa.gov/npdes/stormwater/menuofbmps/construction/fiber_rolls

Silt Fence

BMP Description:

Silt Fences will be installed along the western limits of construction of the site and around any soils stockpile. Silt fences will be installed according to COA standards.

Installation Schedule:	The silt fences will be installed before construction begins at the site and around soil stockpiles once they have been established.
Maintenance and Inspection:	Silt fences will be inspected weekly and immediately after storm events to ensure it is intact and that there are no gaps where the fence meets the ground or tears along the length of the fence. If gaps or tears are found during the inspection, the fabric will be repaired or replaced immediately. Accumulated sediment will be removed from the fence base if it reaches 6 inches height on the silt fence and hauled off-site for disposal. If accumulated sediment is creating noticeable strain on the fabric and the fence might fail from a sudden storm event, the sediment will be removed more frequently. Before the fence is removed from the project area, the sediment will be removed. The anticipated life span of the silt fence is 6 months and will likely need to be replaced after this period.
Responsible Staff:	SpawGlass



2.8 Retain Sediment On-Site

Instructions:

- Describe sediment control practices (e.g., sediment trap or sediment basin), including design specifications and details (volume, dimensions, outlet structure) that will be implemented at the construction site to retain sediments on-site. (For more information, see *SWPPP Guide*, Chapter 4, ESC Principle 8.)
- Also, see EPA's *Sediment Basin BMP Fact Sheet* at www.epa.gov/npdes/stormwater/menuofbmps/construction/sediment_basins

BMP Description: N/A

Installation Schedule:	
Maintenance and Inspection:	
Responsible Staff:	



2.9 Establish Stabilized Construction Exits

Instructions:

- Describe location(s) of vehicle entrance(s) and exit(s), procedures to remove accumulated sediment off-site (e.g., vehicle tracking), and stabilization practices (e.g., stone pads or wash racks or both) to minimize off-site vehicle tracking of sediments and discharges to stormwater. (For more information, see *SWPPP Guide*, Chapter 4, ESC Principle 9.)
- Also, see EPA's *Construction Entrances BMP Fact Sheet* at www.epa.gov/npdes/stormwater/menuofbmps/construction/cons_entrance

Stabilized Construction Entrance

BMP Description:

A stabilized construction entrances consisting of stone will be installed at the north eastern entrances to the construction area, to prevent the off-site transport of sediment by construction vehicles. The construction entrances will be at least 50 feet long and have a minimum width no less than all points of ingress/egress. The 3-5" stones (open graded rock) will be placed over a layer of geotextile filter fabric to reduce the mitigation of sediment from the underlying soil. Orange colored plastic mesh fence will be installed along the length of the construction exits to keep construction vehicles and equipment on the anti-tracking pads.

Installation Schedule:	The stabilization entrances will be installed prior to construction beginning on the site. The stone will remain in place until the sub grade of pavement is installed at the site.
Maintenance and Inspection:	The entrances will be inspected weekly and after storm events or heavy use. The entrances will be maintained in a condition that will prevent tracking or flowing of sediment onto Treadwell Drive and/or the private drives located on-site. This could require adding additional stone to the entrances. All sediment tracked, spilled, dropped, or washed onto Treadwell Street and the private drives will be swept up immediately and hauled off-site for disposal. Road pavement broken as a result of construction activities on roadways immediately adjacent to the project site will be repaired immediately. The removed stone and sediment from the pad will be hauled off-site and disposed of.
Responsible Staff:	SpawGlass



2.10 Additional BMPs

Instructions:

- Describe additional BMPs that do not fit into the above categories.

BMP Description: N/A

Installation Schedule:	
Maintenance and Inspection:	
Responsible Staff:	



SECTION 3: GOOD HOUSEKEEPING BMPS

Instructions:

- Describe the key good housekeeping and pollution prevention (P2) BMPs that will be implemented to control pollutants in stormwater.
- Categorize each good housekeeping and pollution prevention (P2) BMP under one of the following seven categories:
 - 3.1 Material Handling and Waste Management**
 - 3.2 Establish Proper Building Material Staging Areas**
 - 3.3 Designate Washout Areas**
 - 3.4 Establish Proper Equipment/Vehicle Fueling and Maintenance Practices**
 - 3.5 Allowable Non-Stormwater Discharges and Control Equipment/Vehicle Washing**
 - 3.6 Spill Prevention and Control Plan**
 - 3.7 Any Additional BMPs**
- For more information, see *SWPPP Guide*, Chapter 5.
- Consult your state's design manual or resources in Appendix D of the *SWPPP Guide*.
- For more information or ideas on BMPs, see EPA's National Menu of BMPs
<http://www.epa.gov/npdes/stormwater/menuofbmps>



3.1 Material Handling and Waste Management

Instructions:

- Describe measures (e.g., trash disposal, sanitary wastes, recycling, and proper material handling) to prevent the discharge of solid materials to receiving waters, except as authorized by a permit issued under section 404 of the CWA (For more information, see *SWPPP Guide*, Chapter 5, P2 Principle 1.)
- Also, see EPA's *General Construction Site Waste Management BMP Fact Sheet* at www.epa.gov/npdes/stormwater/menuofbmps/construction/cons_wasteman

Waste Materials**BMP Description:**

All waste materials will be collected and disposed of into two metal trash dumpsters in the materials storage area. Dumpsters will have a secure watertight lid, be placed away from storm water conveyances and drains, and meet all federal, state, and municipal regulations. Only trash and construction debris from the site will be deposited in the dumpster. No construction materials will be buried on-site. All personnel will be instructed, during tailgate training sessions, regarding the correct disposal of trash and construction debris. Notices that state these practices will be posted in the office trailer and the individual who manages day-to-day site operations will be responsible for seeing that these practices are followed.

Installation Schedule:	Trash dumpsters will be installed once the materials storage area has been established.
Maintenance and Inspection:	The dumpsters will be inspected weekly and immediately after storm events. The dumpster will be emptied weekly. If trash and construction debris are exceeding the dumpster's capacity, the dumpsters will be emptied more frequently.
Responsible Staff:	SpawGlass



Hazardous Waste

BMP Description:

All hazardous waste materials such as oil filters, petroleum products, paint, and equipment maintenance fluids will be stored in structurally sound and sealed shipping containers, within the hazardous materials storage area. Hazardous waste materials will be stored in appropriate and clearly marked containers and segregated from other non-waste materials. Secondary containment will be provided for all waste materials in the hazardous materials storage area and will consist of commercially available spill pallets. Additionally, all hazardous waste materials will be disposed of in accordance with federal, state, and municipal regulations. Hazardous waste materials will not be disposed of into the on-site dumpsters. All personnel will be instructed, during tailgate training sessions, regarding the correct disposal of trash and construction debris. Notices that state these practices will be posted in the office trailer and the individual who manages day-to-day site operations will be responsible for seeing that these practices are followed.

Installation Schedule:	Shipping containers used to store hazardous waste materials will be installed once the site materials storage area has been installed.
Maintenance and Inspection:	The hazardous waste material storage areas will be inspected weekly and after storm events. The storage areas will be kept clean, well organized, and equipped with ample cleanup supplies as appropriate for the materials being stored. Material safety data sheets, material inventory, and emergency contact numbers will be maintained in the office trailer.
Responsible Staff:	SpawGlass

Sanitary Waste

BMP Description:

Two temporary sanitary facilities (portable toilets) will be provided at the site throughout the construction phase. The toilets will be in the staging area. The portable toilets will be located away from any concentrated flow paths and traffic flow and will have collection pans underneath as secondary containment.

Installation Schedule:	The portable toilets will be brought to the site once the staging area has been established.
Maintenance and Inspection:	All sanitary waste will be collected from the portable facilities a minimum of three times per week. The portable toilets will be inspected weekly for evidence of leaking holding tanks. Toilets with leaking holding tanks will be removed from the site and replaced with new portable toilets.
Responsible Staff:	SpawGlass



3.2 Establish Proper Building Material Staging Areas

Instructions:

- Describe measures (e.g., trash disposal, sanitary wastes, recycling, and proper material handling) to prevent the discharge of solid materials to receiving waters, except as authorized by a permit issued under section 404 of the CWA (For more information, see *SWPPP Guide*, Chapter 5, P2 Principle 1.)
- Also, see EPA's *General Construction Site Waste Management BMP Fact Sheet* at www.epa.gov/npdes/stormwater/menuofbmps/construction/cons_wasteman

Materials Storage Area**BMP Description:**

Construction equipment and maintenance materials will be stored at the combined staging area and materials storage areas. Gravel bag berms will be installed around the perimeter to designate the staging and materials storage area. A watertight shipping container will be used to store hand tools, small parts, and other construction materials.

Nonhazardous building materials such as packaging material (wood, plastic, and glass), and construction scrap material (brick, wood, steel, metal scraps, and pipe cuttings) will be stored in a separate covered storage facility adjacent to the shipping container. All hazardous-waste materials such as oil filters, petroleum products, paint, and equipment maintenance fluids will be stored in structurally sound and sealed containers under cover within the hazardous materials storage area.

Very large items, such as framing materials and stockpiled lumber, will be stored in the open in the materials storage area. Such materials will be elevated on wood blocks to minimize contact with runoff.

Installation Schedule:	The material storage area will be installed after grading and before any infrastructure is constructed at the site.
Maintenance and Inspection:	The material storage area will be inspected weekly and after storm events. The storage area will be kept clean, well organized, and equipped with ample cleanup supplies as appropriate for the materials being stored. Perimeter controls, containment structures, cover, and liner will be repaired or replaced as needed to maintain proper function.
Responsible Staff:	SpawGlass



3.3 Designate Washout Areas

Instructions:

- Describe location(s) and controls to eliminate the potential for discharges from washout areas for concrete mixers, paint, stucco, and so on. (For more information, see *SWPPP Guide*, Chapter 5, P2 Principle 3.)
- Also, see EPA's *Concrete Washout BMP Fact Sheet* at www.epa.gov/npdes/stormwater/menuofbmps/construction/concrete_wash

Concrete Washout**BMP Description:**

A designated temporary, above-grade concrete washout area will be constructed. The temporary concrete washout area will be constructed with a recommended minimum length and minimum width of 10 feet, but with sufficient quantity and volume to contain all liquid and concrete waste generated by washout operations. The washout area will be lined with plastic sheeting at least 10 mm thick and free of any holes or tears. Signs will be posted marking the location of the washout area to ensure that concrete equipment operators use the proper facility. Concrete pours will not be conducted during or before an anticipated storm event. Concrete mixer trucks and chutes will be washed during or before an anticipated storm event. Concrete mixer trucks and chutes will be washed in the designated area or concrete wastes will be properly disposed of off-site. When the temporary washout area is no longer needed for construction, the hardened concrete and materials used to construct the area will be removed and disposed of according to the maintenance section below, and the area will be stabilized. For design specifications, see Figure below.

Installation Schedule:	The washout area will be constructed before concrete pours occur at the site.
Maintenance and Inspection:	The washout areas will be inspected daily to ensure that all concrete washing is being discharged into the washout area, no leaks or tears are present, and to identify when concrete wastes need to be removed. The washout areas will be cleaned out once the area is filled to 75 percent of the holding capacity. Once the area's holding capacity has been reached, the concrete wastes will be allowed to harden, the concrete will be broken up and then removed. The plastic sheeting will be replaced if tears occur during removal of concrete wastes from the washout area.
Responsible Staff:	SpawGlass



3.4 Establish Proper Equipment/Vehicle Fueling and Maintenance Practices

Instructions:

- Describe equipment/vehicle fueling and maintenance practices that will be implemented to control pollutants to stormwater (e.g., secondary containment, drip pans, and spill kits) (For more information, see *SWPPP Guide*, Chapter 5, P2 Principle 4.)
- Also, see EPA's *Vehicle Maintenance and Washing Areas BMP Fact Sheet* at www.epa.gov/npdes/stormwater/menuofbmps/construction/vehicile_maintain

Vehicle/Equipment Fueling and Maintenance**BMP Description:**

Several types of vehicles and equipment will be used on-site throughout the project, including graders, scrapers, excavators, loaders, rollers, trucks and trailers, backhoes, and forklifts. All major equipment/vehicle fueling and maintenance will be performed off-site. A small, 20 gallon pickup bed fuel tank will be kept on-site in the combined staging area. When vehicle fueling must occur on-site, the fueling activity will occur in the staging area. Only minor equipment maintenance will occur on-site. All equipment fluids generated from maintenance activities will be disposed of into materials and spill kits will be available at the combining staging and materials storage area. Drip pans will be placed under all equipment receiving maintenance and vehicles and equipment parked overnight.

Installation Schedule:	BMPs implemented for equipment and vehicle maintenance and fueling activities will begin at the start of the project.
Maintenance and Inspection:	Inspect equipment/vehicle storage areas and fuel tank weekly and after storm events. Vehicles and equipment will be inspected on each day of use. Leaks will be repaired immediately, or the problem vehicle(s) or equipment will be removed from the project site. Keep ample supply of spill-cleanup materials on-site and immediately clean up spills and dispose of materials properly.
Responsible Staff:	SpawGlass



3.5 Control Equipment/Vehicle Washing

Instructions:

- Describe equipment/vehicle washing practices that will be implemented to control pollutants to stormwater. (For more information, see *SWPPP Guide*, Chapter 5, P2 Principle 5.)
- Also, see EPA's *Vehicle Maintenance and Washing Areas BMP Fact Sheet* at www.epa.gov/npdes/stormwater/menuofbmps/construction/vehicile_maintain

BMP Description:

All equipment and vehicle washing will be performed off-site.

Installation Schedule:	
Maintenance and Inspection:	
Responsible Staff:	



3.6 Spill Prevention and Control Plan

Instructions:

- Describe the spill prevention and control plan to include ways to reduce the chance of spills, stop the source of spills, contain and clean up spills, dispose of materials contaminated by spills, and train personnel responsible for spill prevention and control. (For more information, see *SWPPP Guide*, Chapter 5, P2 Principle 6.)
- Also, see EPA's *Spill Prevention and Control Plan BMP Fact sheet* at www.epa.gov/npdes/stormwater/menuofbmps/construction/spill_control

Spill	Prevention	and	Control	Procedures
BMP Description:				
<ol style="list-style-type: none"> 1. Employee Training: All employees will be trained via biweekly tailgate sessions. 2. Vehicle Maintenance: Vehicles and equipment will be maintained off-site. All vehicles and equipment including subcontractor vehicles will be checked for leaking oil and fluids. Vehicles leaking fluids will not be allowed on-site. Drip pans will be placed under all vehicles and equipment that are parked overnight. 3. Hazardous Material Storage: Hazardous materials will be stored in accordance with Section 3, Part 1 and all pertinent federal, state and municipal regulations. 4. Spill Kits: Spill kits will be within the materials storage area and concrete washout areas. 5. Spills: All spills will be cleaned up immediately upon discovery. Spent absorbent materials and rags will be hauled off-site immediately after the spill is cleaned up for disposal. Spills large enough to discharge to surface water will be reported to National Response Center at 1-800-424-8802. 6. Material Safety Data Sheets, a material inventory, and emergency contact information will be maintained at the on-site project trailer. 				
Installation Schedule:		The spill prevention and control procedures will be implemented once construction begins on-site.		
Maintenance and Inspection:		All personnel will be instructed, during tailgate training sessions, regarding the correct procedures for spill prevention and control. Notices that state these practices will be posted in the office trailer, and the individual who manages day-to-day operations will be responsible for seeing that these procedures are followed.		
Responsible Staff:		SpawGlass		



3.7 Any Additional BMPs

Instructions:

- Describe any additional BMPs that do not fit into the above categories. Indicate the problem they are intended to address.

BMP Description: [N/A](#)

Installation Schedule:	
Maintenance and Inspection:	
Responsible Staff:	



3.8 Allowable Non-Stormwater Discharge Management

Instructions:

- Identify all allowable sources of non-stormwater discharges that are not identified. The allowable non-stormwater discharges identified might include the following (see your permit for an exact list):
 - ✓ Waters used to wash vehicles where detergents are not used
 - ✓ Water used to control dust
 - ✓ Potable water including uncontaminated water line flushings
 - ✓ Routine external building wash down that does not use detergents
 - ✓ Pavement wash waters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used
 - ✓ Uncontaminated air conditioning or compressor condensate
 - ✓ Uncontaminated ground water or spring water
 - ✓ Foundation or footing drains where flows are not contaminated with process materials such as solvents
 - ✓ Uncontaminated excavation dewatering
 - ✓ Landscape irrigation
- Identify measures used to eliminate or reduce these discharges and the BMPs used to prevent them from becoming contaminated.
- For more information, see *SWPPP Guide*, Chapter 3.A.

List allowable non-stormwater discharges and the measures used to eliminate or reduce them and to prevent them from becoming contaminated:

Any changes in construction activities that produce other allowable non-stormwater discharges will be identified and the SWPPP will be amended to include an implementation of the appropriate erosion and sedimentation control.

Water Used to Control Dust

BMP Description:

Dust control will be implemented as needed once site grading has been initiated and during windy conditions (forecasted or actual wind conditions of 20 mph or greater) while site grading is occurring. Spraying of potable water will be performed no more than three times a day during months of May-September and once per day during the months of October-April or whenever the dryness of the soil warrants it.

Installation Schedule:	As needed
Maintenance and Inspection:	As needed
Responsible Staff:	SpawGlass



Uncontaminated Excavation Dewatering

BMP Description:

Because the geotechnical engineering report did not report any ground water in the borings, dewatering activities are not expected to occur at the project site. If dewatering does occur, the SWPPP will be revised to address the need for appropriate BMPs.

Installation Schedule:	As needed
Maintenance and Inspection:	As needed
Responsible Staff:	SpawGlass

Landscape Irrigation

BMP Description:

Irrigation waters will not be sprayed onto impermeable surfaces such as paved driveways and roads. Waters will be directed onto soil and lawns by using hoses and correctly sized sprinklers with adjustable spray patterns. To avoid discharges of irrigation waters, the sprinklers will have low-flow rates and increased watering time. The irrigated area will be inspected for excess watering and to adjust watering times and schedules.

Installation Schedule:	As needed
Maintenance and Inspection:	As needed
Responsible Staff:	SpawGlass



SECTION 4: SELECTING POST-CONSTRUCTION BMPs

Instructions:

- Describe all post-construction stormwater management measures that will be installed during the construction process to control pollutants in stormwater discharges after construction operations have been completed. Examples of post-construction BMPs include the following:
 - ✓ Biofilters
 - ✓ Detention/retention devices
 - ✓ Earth dikes, drainage swales, and lined ditches
 - ✓ Infiltration basins
 - ✓ Porous pavement
 - ✓ Other proprietary permanent structural BMPs
 - ✓ Outlet protection/velocity dissipation devices
 - ✓ Slope protection
 - ✓ Vegetated strips and/or swales
- Identify any applicable federal, state, local, or tribal requirements for design or installation.
- Describe how low-impact designs or smart growth considerations have been incorporated into the design.
- For any structural BMPs, you should have design specifications and details and refer to them. Attach them as appendices to the SWPPP or within the text of the SWPPP.
- For more information on this topic, see your state's stormwater manual.
- You might also want to consult one of the references listed in Appendix D of the *SWPPP Guide*.
- Visit the post-construction section of EPA's Menu of BMPs at: www.epa.gov/npes/menuofbmps

Partial Sedimentation/Filtration Pond

BMP Description: No sedimentation/filtration is proposed on site.

<i>Installation Schedule:</i>	
<i>Maintenance and Inspection:</i>	
<i>Responsible Staff:</i>	

Storm Water Management

BMP Description: No detention is proposed on site.

<i>Installation Schedule:</i>	
<i>Maintenance and Inspection:</i>	
<i>Responsible Staff:</i>	



SECTION 5: INSPECTIONS

5.1 *Inspections*

Instructions:

- Identify the individual(s) responsible for conducting inspections and describe their qualifications. Reference or attach the inspection form that will be used.
- Describe the frequency that inspections will occur at your site including any correlations to storm frequency and intensity.
- Note that inspection details for particular BMPs should be included in Sections 2 and 3.
- You should also document the repairs and maintenance that you undertake as a result of your inspections. These actions can be documented in the corrective action log described in Part 5.3 below.
- For more on this topic, see *SWPPP Guide*, Chapters 6 and 8.
- Also, see suggested inspection form in Appendix B of the *SWPPP Guide*.

1. *Inspection Personnel:*

Will be responsible for site compliance with the SWPPP and EPA's Construction General Permit. The Main Contractor will conduct inspections for all areas of the site disturbed by construction activities, areas used for storage of materials that are exposed to precipitation, discharge points, and construction exits.

2. *Inspection Schedule and Procedures:*

Inspections of the site will be performed once every 7 days and within 24 hours of the end of a storm event of one-half (0.5) inch or greater. The inspections will verify that all BMPs required in Sections 2, 3 and 4 are implemented, maintained, and effectively minimizing erosion and preventing storm water contamination from construction materials. For detailed inspection processes, see Sections 2, 3 and 4.

If corrective actions are identified by the Main Contractor during the inspection, he will notify and submit a copy of the inspection report to the project managers. For corrective actions identified, the Main Contractor will be responsible for initiating the corrective action within 24 hours of the report and completing maintenance as soon as possible or before the next storm event.

For a copy of the inspection report, please reference Appendix E – Inspection Reports.



5.2 Delegation of Authority

Instructions:

- Identify the individual(s) or specifically describe the position where the construction site operator has delegated authority for the purposes of signing inspection reports, certifications, or other information.
- Attach the delegation of authority form that will be used.
- For more on this topic, see *SWPPP Guide*, Chapter 7.

Duly Authorized Representative(s) or Position(s):

SpawGlass

Chris Schubnell

1111 Smith Rd.

Austi, TX 78721

512-719-5251

A copy of the signed delegation of authority form is attached as Appendix K.

5.3 Corrective Action Log

Instructions:

- Create here, or as an attachment, a corrective action log. This log should describe repair, replacement, and maintenance of BMPs undertaken as a result of the inspections and maintenance procedures described above. Actions related to the findings of inspections should reference the specific inspection report.
- This log should describe actions taken, date completed, and note the person that completed the work.

Corrective Action Log:

See Appendix G - SWPPP Amendment Log



SECTION 6: RECORDKEEPING AND TRAINING

Instructions:

- The following is a list of records you should keep at your project site available for inspectors to review:
- Dates of grading, construction activity, and stabilization (which is covered in Sections 2 and 3)
- A copy of the construction general permit (attach)
- The signed and certified NOI form or permit application form (attach)
- A copy of the letter from EPA or/the state notifying you of their receipt of your complete NOI/application (attach)
- Inspection reports (attach)
- Records relating to endangered species and historic preservation (attach)
- Check your permit for additional details
- For more on this subject, see *SWPPP Guide*, Chapter 6.C.

Records will be retained for a minimum period of at least 3 years after the permit is terminated.



6.1 Recordkeeping

Date(s) when major grading activities occur:

[See Appendix I - Grading and Stabilization Activities Log](#)

Date(s) when construction activities temporarily or permanently cease on a portion of the site:

[See Appendix I - Grading and Stabilization Activities Log](#)

Date(s) when an area is either temporarily or permanently stabilized:

[See Appendix I - Grading and Stabilization Activities Log](#)



6.2 Log of Changes to the SWPPP

Instructions:

- Create a log here, or as an attachment, of changes and updates to the SWPPP. You should include additions of new BMPs, replacement of failed BMPs, significant changes in the activities or their timing on the project, changes in personnel, changes in inspection and maintenance procedures, updates to site maps, and so on.

Log of changes and updates to the SWPPP

[See Appendix G - SWPPP Amendment Log](#)



6.3 Training

Instructions:

- Training your staff and subcontractors is an effective BMP. As with the other steps you take to prevent stormwater problems at your site, you should document the training that you conduct for your staff, for those with specific stormwater responsibilities (e.g. installing, inspecting, and maintaining BMPs), and for subcontractors.
- Include dates, number of attendees, subjects covered, and length of training.
- For more on this subject, see *SWPPP Guide*, Chapter 8.

Individual(s) Responsible for Training:

Describe Training Conducted:

- **General storm water and BMP awareness training for staff and subcontractors:**
The Main Contractor will conduct informal training for all staff, including subcontractors, on the site. The training will be conducted primarily via tailgate sessions and will focus on avoiding damage to storm water BMPs and preventing illicit discharges. The tailgate sessions will be conducted biweekly and will address the following topics: Erosion Control BMPs, Sediment Controls BMPs, Non-Storm water BMPs, Waste Management and Materials Storage BMPs, and Emergency Procedures specific to the construction site. (See Appendix J - SWPPP Training Log).
- **Detailed training for staff and subcontractors with specific storm water responsibilities:**
The Main Contractor will provide formal training to all staff and subcontractors with specific storm water responsibilities, such as installing and maintaining BMPs. The formal training will cover all design and construction specifications for installing the BMPs and proper procedures for maintaining each BMP. Formal training will occur before any BMPs are installed on the site. (See Appendix J - SWPPP Training Log).



SECTION 7: FINAL STABILIZATION

Instructions:

- Describe procedures for final stabilization. If you complete major construction activities on part of your site, you can document your final stabilization efforts for that portion of the site. Many permits will allow you to then discontinue inspection activities in these areas (be sure to check your permit for exact requirements). You can amend or add to this section as areas of your project are finally stabilized.
- Update your site plans to indicate areas that have achieved final stabilization.
- Note that dates for areas that have achieved final stabilization should be included in Section 6, Part 6.1 of this SWPPP.
- For more on this topic, see *SWPPP Guide*, Chapter 9.

Permanent Sod and Hydromulch

BMP Description:

<i>Installation Schedule:</i>	Portions of the site where construction activities have permanently ceased will be stabilized, as soon as possible but no later than 14 days after construction ceases.
<i>Maintenance and Inspection:</i>	<p>All sodded and hydromulched areas will be inspected weekly during construction activities for failure and after storm events until a dense cover of vegetation has been established. If failure is noticed at the sodded area, the area will be resodded and mulched immediately. After construction is completed at the site, permanently stabilized areas will be monitored until final stabilization is reached.</p> <p>Top Soil Preparation:</p> <p>All disturbed areas to be revegetated are required to place a minimum of six (6) inches of topsoil [see Standard Specification Item No. 601S.3(A)]. Do not add topsoil within the critical root zone of existing trees. The topsoil shall be composed of 4 parts of soil mixed with 1 part compost, by volume. The compost shall meet the definition of compost as defined by TXDOT specification Item 161. The soil shall be locally available native soil that meets the following specifications:</p> <ul style="list-style-type: none">• Shall be free of trash, weeds, deleterious materials, rocks, and debris.• 100% shall pass through a 1.5-inch screen.• Soil Texture class to be Loam, Sandy Clay Loam, or Sandy Loam in accordance with the USDA texture triangle. Soil known locally as "red death" or Austin Sandy Loam is not an allowable soil. Textural composition shall meet the following criteria: <p style="text-align: right;">Texture Class Minimum Maximum</p>



	<table><tr><td>Clay</td><td>5%</td><td>50%</td></tr><tr><td>Silt</td><td>10%</td><td>50%</td></tr><tr><td>Sand</td><td>15%</td><td>67%</td></tr></table> <p>Topsoil salvaged from the existing site may often be used, but it should meet the same standards as set forth in these standards.</p> <p>Permanent Vegetative Stabilization:</p> <p>1. From September 15 to March 1, seeding is considered to be temporary stabilization only. If cool season cover crops exist where permanent vegetative stabilization is desired, the grasses shall be mowed to a height of less than one-half (1/2) inch and the area shall be re-seeded in accordance with Table 2 (below).</p> <p>2. From March 2 to September 14, seeding shall be with hulled Bermuda at a rate of 1 pound per 1000 SF with a purity of 95% with 85% germination. Bermuda grass is a warm season grass and is considered permanent erosion control.</p> <p>A. Fertilizer shall be a water soluble with an analysis of 15-15-15 to be applied once at planting and once during the period of establishment at a rate of 1/2 pound per 1000 SF.</p> <p>B. Hydromulch shall comply with Table 2, below.</p> <p>C. The planted area shall be irrigated or sprinkled in a manner that will not erode the topsoil, but will sufficiently soak the soil to a depth of six inches. The irrigation shall occur at daily intervals (minimum) during the first two months. Rainfall occurrences of ½ inch or more shall postpone the watering schedule for one week.</p> <p>D. Permanent erosion control shall be acceptable when the grass has grown at least 1½ inches high with 95% coverage, provided no bare spots larger than 16 square feet exist.</p> <p>E. When required, native grass seeding shall comply with requirements of the City of Austin Environmental Criteria Manual.</p> <p>Table 2: Hydromulching for Permanent Vegetative Stabilization</p> <table><tr><th>Material</th><th>Description</th><th>Longevity</th><th>Typical Applications</th><th>Application Rates</th></tr><tr><td>Bonded Fiber Matrix (BFM)</td><td>80% Organic Defibrated Fibers 10% Tackifier</td><td>6 months</td><td>On slopes up to 2:1 and erosive soil conditions</td><td>2500 to 4000 lbs per acre (see manufacturer’s recommendations)</td></tr><tr><td>Fiber Reinforced Matrix (FRM)</td><td>65% Organic Defibrated Fibers 25% Reinforcing Fibers or less 10% Tackifier</td><td>Up to 12 months</td><td>On slopes up to 1:1 and erosive soil conditions</td><td>3000 to 4500 lbs per acre (see manufacturer’s recommendations)</td></tr></table>	Clay	5%	50%	Silt	10%	50%	Sand	15%	67%	Material	Description	Longevity	Typical Applications	Application Rates	Bonded Fiber Matrix (BFM)	80% Organic Defibrated Fibers 10% Tackifier	6 months	On slopes up to 2:1 and erosive soil conditions	2500 to 4000 lbs per acre (see manufacturer’s recommendations)	Fiber Reinforced Matrix (FRM)	65% Organic Defibrated Fibers 25% Reinforcing Fibers or less 10% Tackifier	Up to 12 months	On slopes up to 1:1 and erosive soil conditions	3000 to 4500 lbs per acre (see manufacturer’s recommendations)
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Responsible Staff:	SpawGlass																								



Partial Sedimentation/Filtration Pond

BMP Description: No Partial sedimentation/filtration is proposed for this site.

Installation Schedule:	
Maintenance and Inspection:	
Responsible Staff:	

Storm Water Management

BMP Description: No detention is proposed for this site.

Installation Schedule:	
Maintenance and Inspection:	
Responsible Staff:	



SECTION 8: CERTIFICATION AND NOTIFICATION

Instructions:

- The SWPPP should be signed and certified by the construction operator(s). Attach a copy of the NOI and permit authorization letter received from EPA or the state in Appendix D.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name: William R. Schnier, P.E. Title: Owners Rep + Design Engineer

Signature: _____ Date: _____

Name: _____ Title: _____

Signature: _____ Date: _____



SWPPP APPENDICES

Attach the following documentation to the SWPPP:

Appendix A – General Location Map and Site Photos

Appendix B – Site Maps

Appendix C – Construction General Permit

Appendix D – NOI and Acknowledgement Letter from EPA/State

Appendix E – Inspection Reports

Appendix F – Corrective Action Log (or in Part 5.3)

Appendix G – SWPPP Amendment Log (or in Part 6.2)

Appendix H – Subcontractor Certifications/Agreements

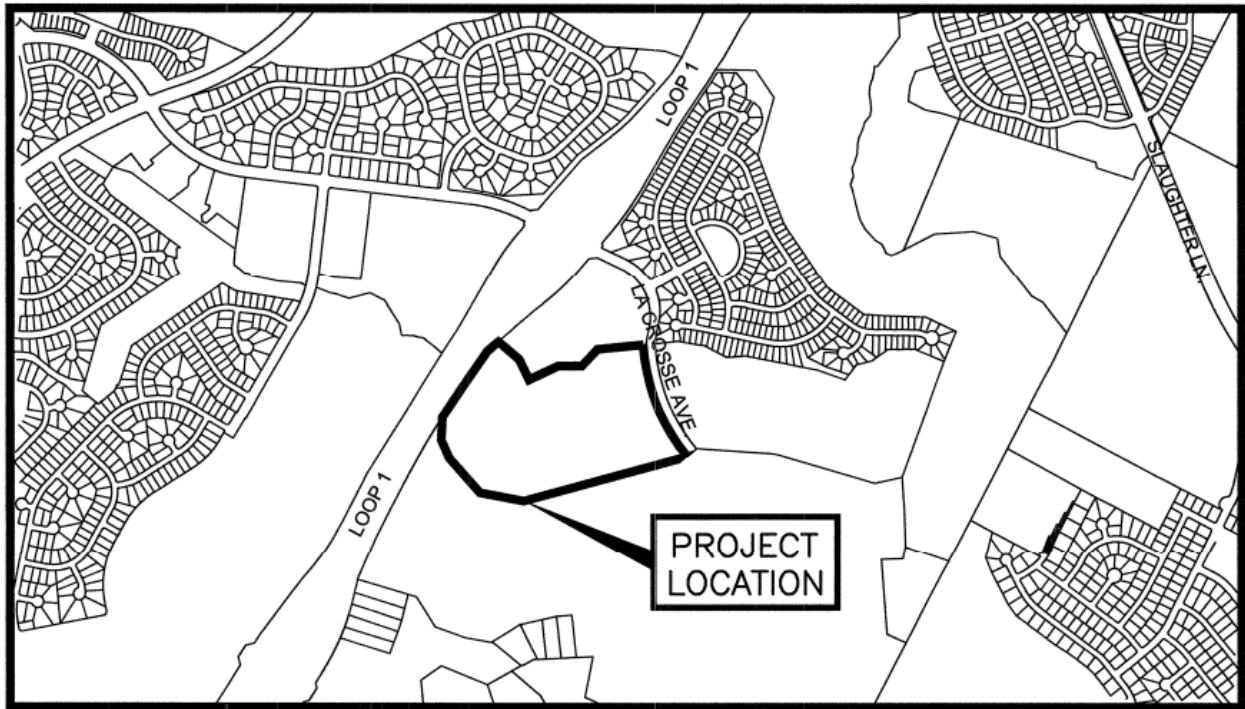
Appendix I – Grading and Stabilization Activities Log (or in Part 6.1)

Appendix J – Training Log

Appendix K – Delegation of Authority



Appendix A – General Location Map and Site Photos







Appendix B – Site Maps

NOTE:

Refer to the Site Development Permit Plans for detailed information about the site.



Appendix C – Construction General Permit

Texas Commission on Environmental Quality

P.O. Box 13087, Austin, Texas 78711-3087



GENERAL PERMIT TO DISCHARGE UNDER THE TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM

under provisions of
Section 402 of the Clean Water Act
and Chapter 26 of the Texas Water Code

This permit supersedes and replaces
TPDES General Permit No. TXR150000, issued March 5, 2008

Construction sites that discharge stormwater associated with construction activity
located in the state of Texas
may discharge to surface water in the state

only according to monitoring requirements and other conditions set forth in this general permit, as well as the rules of the Texas Commission on Environmental Quality (TCEQ or Commission), the laws of the State of Texas, and other orders of the Commission of the TCEQ. The issuance of this general permit does not grant to the permittee the right to use private or public property for conveyance of stormwater and certain non-stormwater discharges along the discharge route. This includes property belonging to but not limited to any individual, partnership, corporation or other entity. Neither does this general permit authorize any invasion of personal rights nor any violation of federal, state, or local laws or regulations. It is the responsibility of the permittee to acquire property rights as may be necessary to use the discharge route.

This general permit and the authorization contained herein shall expire at midnight, five years from the permit effective date.

EFFECTIVE DATE: March 5, 2013

ISSUED DATE: FEB 19 2013

A handwritten signature in black ink that reads "Bryan W. Shaw".

For the Commission

**TPDES GENERAL PERMIT NUMBER TXR150000 RELATING TO
STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION
ACTIVITIES**

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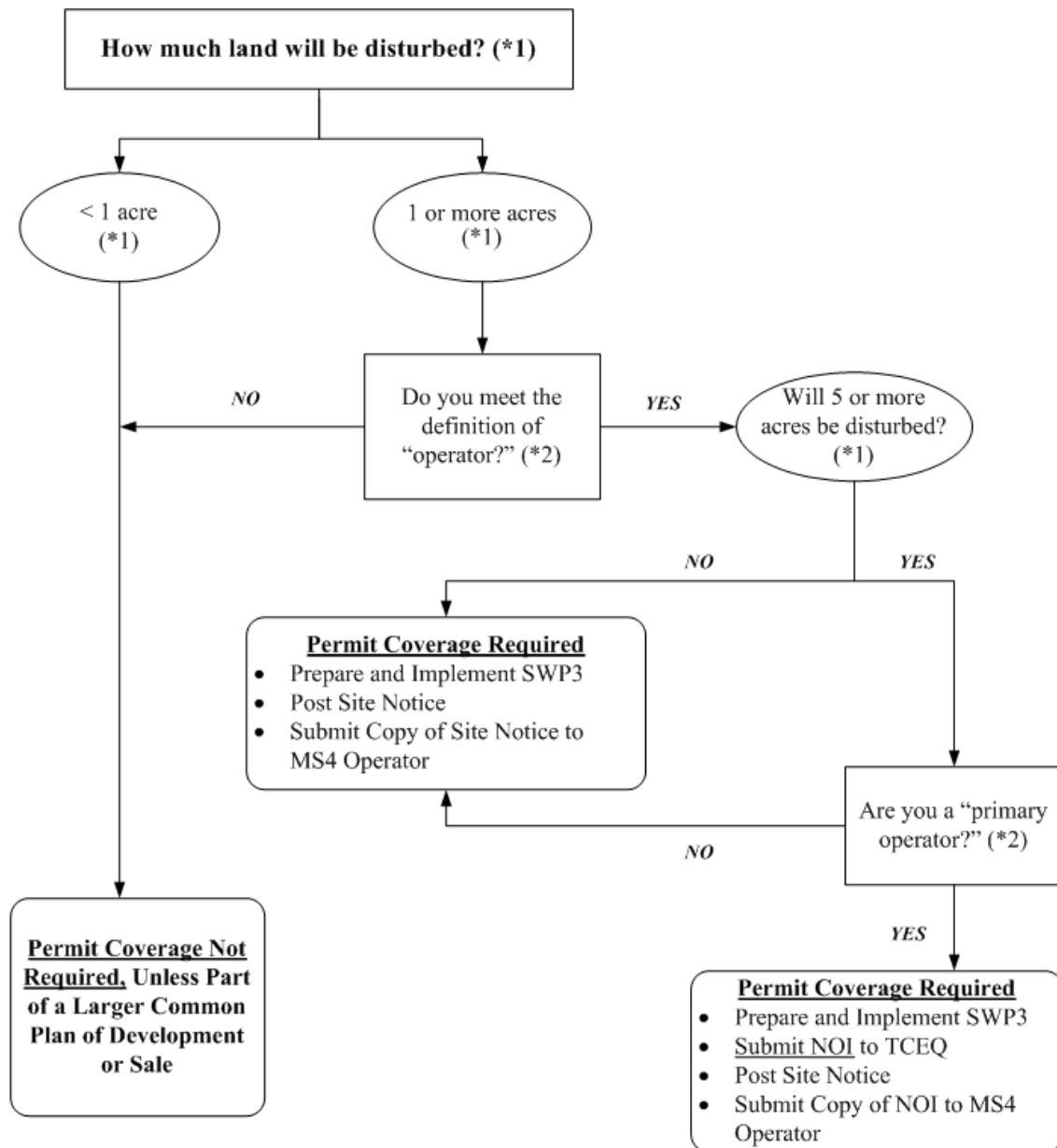
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Part I. Flow Chart and Definitions

Section A. Flow Chart to Determine Whether Coverage is Required



- (*1) To determine the size of the construction project, use the size of the entire area to be disturbed, and include the size of the larger common plan of development or sale, if the project is part of a larger project (refer to Part I.B., "Definitions," for an explanation of "common plan of development or sale").
- (*2) Refer to the definitions for "operator," "primary operator," and "secondary operator" in Part I., Section B. of this permit.

Section B. Definitions

Arid Areas - Areas with an average annual rainfall of 0 to 10 inches.

Best Management Practices (BMPs) - Schedules of activities, prohibitions of practices, maintenance procedures, structural controls, local ordinances, and other management practices to prevent or reduce the discharge of pollutants. BMPs also include treatment requirements, operating procedures, and practices to control construction site runoff, spills or leaks, waste disposal, or drainage from raw material storage areas.

Commencement of Construction - The initial disturbance of soils associated with clearing, grading, or excavation activities, as well as other construction-related activities (e.g., stockpiling of fill material, demolition).

Common Plan of Development - A construction activity that is completed in separate stages, separate phases, or in combination with other construction activities. A common plan of development (also known as a “common plan of development or sale”) is identified by the documentation for the construction project that identifies the scope of the project, and may include plats, blueprints, marketing plans, contracts, building permits, a public notice or hearing, zoning requests, or other similar documentation and activities. A common plan of development does not necessarily include all construction projects within the jurisdiction of a public entity (e.g., a city or university). Construction of roads or buildings in different parts of the jurisdiction would be considered separate “common plans,” with only the interconnected parts of a project being considered part of a “common plan” (e.g., a building and its associated parking lot and driveways, airport runway and associated taxiways, a building complex, etc.). Where discrete construction projects occur within a larger common plan of development or sale but are located ¼ mile or more apart, and the area between the projects is not being disturbed, each individual project can be treated as a separate plan of development or sale, provided that any interconnecting road, pipeline or utility project that is part of the same “common plan” is not included in the area to be disturbed.

Construction Activity - Includes soil disturbance activities, including clearing, grading, and excavating; and does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the site (e.g., the routine grading of existing dirt roads, asphalt overlays of existing roads, the routine clearing of existing right-of-ways, and similar maintenance activities). Regulated construction activity is defined in terms of small and large construction activity.

Dewatering – The act of draining rainwater or groundwater from building foundations, vaults, and trenches.

Discharge – For the purposes of this permit, the drainage, release, or disposal of pollutants in stormwater and certain non-stormwater from areas where soil disturbing activities (e.g., clearing, grading, excavation, stockpiling of fill material, and demolition), construction materials or equipment storage or maintenance (e.g., fill piles, borrow area, concrete truck wash out, fueling), or other industrial stormwater directly related to the construction process (e.g., concrete or asphalt batch plants) are located.

Drought-Stricken Area – For the purposes of this permit, an area in which the National Oceanic and Atmospheric Administration’s U.S. Seasonal Drought Outlook indicates for the period during which the construction will occur that any of the following conditions are likely: (1) “Drought to persist or intensify”, (2) “Drought ongoing, some improvement”, (3) “Drought likely to improve, impacts ease”, or (4) “Drought development likely”. See http://www.cpc.ncep.noaa.gov/products/expert_assessment/seasonal_drought.html.

Edwards Aquifer - As defined under Texas Administrative Code (TAC) § 213.3 of this title (relating to the Edwards Aquifer), that portion of an arcuate belt of porous, water-bearing, predominantly carbonate rocks known as the Edwards and Associated Limestones in the Balcones Fault Zone trending from west to east to northeast in Kinney, Uvalde, Medina, Bexar, Comal, Hays, Travis, and Williamson Counties; and composed of the Salmon Peak

Limestone, McKnight Formation, West Nueces Formation, Devil's River Limestone, Person Formation, Kainer Formation, Edwards Formation, and Georgetown Formation. The permeable aquifer units generally overlie the less-permeable Glen Rose Formation to the south, overlie the less-permeable Comanche Peak and Walnut Formations north of the Colorado River, and underlie the less-permeable Del Rio Clay regionally.

Edwards Aquifer Recharge Zone - Generally, that area where the stratigraphic units constituting the Edwards Aquifer crop out, including the outcrops of other geologic formations in proximity to the Edwards Aquifer, where caves, sinkholes, faults, fractures, or other permeable features would create a potential for recharge of surface waters into the Edwards Aquifer. The recharge zone is identified as that area designated as such on official maps located in the offices of the Texas Commission on Environmental Quality (TCEQ) and the appropriate regional office. The Edwards Aquifer Map Viewer, located at http://www.tceq.texas.gov/compliance/field_ops/eapp/mapdisclaimer.html, can be used to determine where the recharge zone is located.

Edwards Aquifer Contributing Zone - The area or watershed where runoff from precipitation flows downgradient to the recharge zone of the Edwards Aquifer. The contributing zone is located upstream (upgradient) and generally north and northwest of the recharge zone for the following counties: all areas within Kinney County, except the area within the watershed draining to Segment No. 2304 of the Rio Grande Basin; all areas within Uvalde, Medina, Bexar, and Comal Counties; all areas within Hays and Travis Counties, except the area within the watersheds draining to the Colorado River above a point 1.3 miles upstream from Tom Miller Dam, Lake Austin at the confluence of Barrow Brook Cove, Segment No. 1403 of the Colorado River Basin; and all areas within Williamson County, except the area within the watersheds draining to the Lampasas River above the dam at Stillhouse Hollow reservoir, Segment No. 1216 of the Brazos River Basin. The contributing zone is illustrated on the Edwards Aquifer map viewer at http://www.tceq.texas.gov/compliance/field_ops/eapp/mapdisclaimer.html.

Effluent Limitations Guideline (ELG) – Defined in 40 Code of Federal Regulations (CFR) § 122.2 as a regulation published by the Administrator under § 304(b) of the Clean Water Act (CWA) to adopt or revise effluent limitations.

Facility or Activity – For the purpose of this permit, a construction site or construction support activity that is regulated under this general permit, including all contiguous land and fixtures (for example, ponds and materials stockpiles), structures, or appurtenances used at a construction site or industrial site described by this general permit.

Final Stabilization - A construction site status where any of the following conditions are met:

- A. All soil disturbing activities at the site have been completed and a uniform (that is, evenly distributed, without large bare areas) perennial vegetative cover with a density of at least 70% of the native background vegetative cover for the area has been established on all unpaved areas and areas not covered by permanent structures, or equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed.
- B. For individual lots in a residential construction site by either:
 - (1) the homebuilder completing final stabilization as specified in condition (a) above; or
 - (2) the homebuilder establishing temporary stabilization for an individual lot prior to the time of transfer of the ownership of the home to the buyer and after informing the homeowner of the need for, and benefits of, final stabilization. If temporary stabilization is not feasible, then the homebuilder may fulfill this requirement by retaining perimeter controls or BMPs, and informing the homeowner of the need for removal of temporary controls and the establishment of final stabilization.

Fullfillment of this requirement must be documented in the homebuilder's stormwater pollution prevention plan (SWP3).

- C. For construction activities on land used for agricultural purposes (such as pipelines across crop or range land), final stabilization may be accomplished by returning the disturbed land to its preconstruction agricultural use. Areas disturbed that were not previously used for agricultural activities, such as buffer strips immediately adjacent to surface water and areas that are not being returned to their preconstruction agricultural use must meet the final stabilization conditions of condition (a) above.
- D. In arid, semi-arid, and drought-stricken areas only, all soil disturbing activities at the site have been completed and both of the following criteria have been met:
 - (1) Temporary erosion control measures (for example, degradable rolled erosion control product) are selected, designed, and installed along with an appropriate seed base to provide erosion control for at least three years without active maintenance by the operator, and
 - (2) The temporary erosion control measures are selected, designed, and installed to achieve 70% of the native background vegetative coverage within three years.

Hyperchlorination of Waterlines – Treatment of potable water lines or tanks with chlorine for disinfection purposes, typically following repair or partial replacement of the waterline or tank, and subsequently flushing the contents.

Impaired Water - A surface water body that is identified on the latest approved CWA §303(d) List as not meeting applicable state water quality standards. Impaired waters include waters with approved or established total maximum daily loads (TMDLs), and those where a TMDL has been proposed by TCEQ but has not yet been approved or established.

Indian Country Land – (from 40 CFR §122.2) (1) all land within the limits of any Indian reservation under the jurisdiction of the United States government, notwithstanding the issuance of any patent, and, including rights-of-way running through the reservation; (2) all dependent Indian communities with the borders of the United States whether within the originally or subsequently acquired territory thereof, and whether within or without the limits of a state; and (3) all Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same.

Indian Tribe - (from 40 CFR §122.2) any Indian Tribe, band, group, or community recognized by the Secretary of the Interior and exercising governmental authority over a Federal Indian Reservation.

Large Construction Activity - Construction activities including clearing, grading, and excavating that result in land disturbance of equal to or greater than five (5) acres of land. Large construction activity also includes the disturbance of less than five (5) acres of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than five (5) acres of land. Large construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the site (for example, the routine grading of existing dirt roads, asphalt overlays of existing roads, the routine clearing of existing right-of-ways, and similar maintenance activities.)

Linear Project – Includes the construction of roads, bridges, conduits, substructures, pipelines, sewer lines, towers, poles, cables, wires, connectors, switching, regulating and transforming equipment and associated ancillary facilities in a long, narrow area.

Minimize - To reduce 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 (MS4) - A separate storm sewer system owned or operated by the United States, a state, city, town, county, district, association, or other public body (created by or pursuant to state law) having jurisdiction over the disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under state law such as a sewer district, flood control or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, that discharges to surface water in the state.

Notice of Change (NOC) – Written notification to the executive director from a discharger authorized under this permit, providing changes to information that was previously provided to the agency in a notice of intent form.

Notice of Intent (NOI) - A written submission to the executive director from an applicant requesting coverage under this general permit.

Notice of Termination (NOT) - A written submission to the executive director from a discharger authorized under a general permit requesting termination of coverage.

Operator - The person or persons associated with a large or small construction activity that is either a primary or secondary operator as defined below:

Primary Operator – the person or persons associated with a large or small construction activity that meets either of the following two criteria:

- (a) the person or persons have on-site operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications; or
- (b) the person or persons have day-to-day operational control of those activities at a construction site that are necessary to ensure compliance with a Storm Water Pollution Prevention Plan (SWP3) for the site or other permit conditions (for example, they are authorized to direct workers at a site to carry out activities required by the SWP3 or comply with other permit conditions).

Secondary Operator – The person or entity, often the property owner, whose operational control is limited to:

- (a) the employment of other operators, such as a general contractor, to perform or supervise construction activities; or
- (b) the ability to approve or disapprove changes to construction plans and specifications, but who does not have day-to-day on-site operational control over construction activities at the site.

Secondary operators must either prepare their own SWP3 or participate in a shared SWP3 that covers the areas of the construction site where they have control over the plans and specifications.

If there is not a primary operator at the construction site, then the secondary operator is defined as the primary operator and must comply with the requirements for primary operators.

Outfall - For the purpose of this permit, a point source at the point where stormwater runoff associated with construction activity discharges to surface water in the state and does not include open conveyances connecting two municipal separate storm sewers, or pipes, tunnels, or other conveyances that connect segments of the same stream or other water of the U.S. and are used to convey waters of the U.S.

Permittee - An operator authorized under this general permit. The authorization may be gained through submission of a notice of intent, by waiver, or by meeting the requirements for automatic coverage to discharge stormwater runoff and certain non-stormwater discharges.

Point Source – (from 40 CFR §122.2) 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 - Dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, filter backwash, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal, and agricultural waste discharged into any surface water in the state. The term "pollutant" does not include tail water or runoff water from irrigation or rainwater runoff from cultivated or uncultivated rangeland, pastureland, and farmland. For the purpose of this permit, the term "pollutant" includes sediment.

Pollution - (from Texas Water Code (TWC) §26.001(14)) The alteration of the physical, thermal, chemical, or biological quality of, or the contamination of, any surface water in the state that renders the water harmful, detrimental, or injurious to humans, animal life, vegetation, or property or to public health, safety, or welfare, or impairs the usefulness or the public enjoyment of the water for any lawful or reasonable purpose.

Rainfall Erosivity Factor (R factor) - the total annual erosive potential that is due to climatic effects, and is part of the Revised Universal Soil Loss Equation (RUSLE).

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

Semi-arid Areas - areas with an average annual rainfall of 10 to 20 inches

Separate Storm Sewer System - A conveyance or system of conveyances (including roads with drainage systems, streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains), designed or used for collecting or conveying stormwater; that is not a combined sewer, and that is not part of a publicly owned treatment works (POTW).

Small Construction Activity - Construction activities including clearing, grading, and excavating that result in land disturbance of equal to or greater than one (1) acre and less than five (5) acres of land. Small construction activity also includes the disturbance of less than one (1) acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than one (1) and less than five (5) acres of land. Small construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the site (for example, the routine grading of existing dirt roads, asphalt overlays of existing roads, the routine clearing of existing right-of-ways, and similar maintenance activities.)

Steep Slopes – Where a state, Tribe, local government, or industry technical manual (e.g. stormwater BMP manual) has defined what is to be considered a "steep slope", this permit's definition automatically adopts that definition. Where no such definition exists, steep slopes are automatically defined as those that are 15 percent or greater in grade.

Stormwater (or Stormwater Runoff) - Rainfall runoff, snow melt runoff, and surface runoff and drainage.

Stormwater Associated with Construction Activity - Stormwater runoff from a construction activity where soil disturbing activities (including clearing, grading, excavating) result in the disturbance of one (1) or more acres of total land area, or are part of a larger common plan of development or sale that will result in disturbance of one (1) or more acres of total land area.

Structural Control (or Practice) - A pollution prevention practice that requires the construction of a device, or the use of a device, to reduce or prevent pollution in stormwater

runoff. Structural controls and practices may include but are not limited to: silt fences, earthen dikes, drainage swales, sediment traps, check dams, subsurface drains, storm drain inlet protection, rock outlet protection, reinforced soil retaining systems, gabions, and temporary or permanent sediment basins.

Surface Water in the State - Lakes, bays, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, wetlands, marshes, inlets, canals, the Gulf of Mexico inside the territorial limits of the state (from the mean high water mark (MHW) out 10.36 miles into the Gulf), and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, navigable or nonnavigable, and including the beds and banks of all water-courses and bodies of surface water, that are wholly or partially inside or bordering the state or subject to the jurisdiction of the state; except that waters in treatment systems which are authorized by state or federal law, regulation, or permit, and which are created for the purpose of waste treatment are not considered to be water in the state.

Temporary Stabilization - A condition where exposed soils or disturbed areas are provided a protective cover or other structural control to prevent the migration of pollutants. Temporary stabilization may include temporary seeding, geotextiles, mulches, and other techniques to reduce or eliminate erosion until either permanent stabilization can be achieved or until further construction activities take place.

Total Maximum Daily Load (TMDL) - The total amount of a pollutant that a water body can assimilate and still meet the Texas Surface Water Quality Standards.

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

Waters of the United States - (from 40 CFR §122.2) Waters of the United States or waters of the U.S. means:

- (a) all waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;
- (b) all interstate waters, including interstate wetlands;
- (c) all other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds that the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce including any such waters:
 - (1) which are or could be used by interstate or foreign travelers for recreational or other purposes;
 - (2) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or
 - (3) which are used or could be used for industrial purposes by industries in interstate commerce;
- (d) all impoundments of waters otherwise defined as waters of the United States under this definition;
- (e) tributaries of waters identified in paragraphs (a) through (d) of this definition;
- (f) the territorial sea; and
- (g) wetlands adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs (a) through (f) of this definition.

Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of CWA (other than cooling ponds as defined in 40 CFR §423.11(m) which also meet the criteria of this definition) are not waters of the U.S. This exclusion applies only to manmade bodies of water which neither were originally created in waters of the U.S. (such as

disposal area in wetlands) nor resulted from the impoundment of waters of the U.S. Waters of the U.S. do not include prior converted cropland. Notwithstanding the determination of an area's status as prior converted cropland by any other federal agency, for the purposes of the CWA, the final authority regarding CWA jurisdiction remains with EPA.

Part II. Permit Applicability and Coverage

Section A. Discharges Eligible for Authorization

1. Stormwater Associated with Construction Activity

Discharges of stormwater runoff from small and large construction activities may be authorized under this general permit.

2. Discharges of Stormwater Associated with Construction Support Activities

Examples of construction support activities include, but are not limited to, concrete batch plants, rock crushers, asphalt batch plants, equipment staging areas, material storage yards, material borrow areas, and excavated material disposal areas.

Construction support activities authorized under this general permit are not commercial operations, and do not serve multiple unrelated construction projects. Discharges of stormwater runoff from construction support activities may be authorized under this general permit, provided that the following conditions are met:

- (a) the activities are located within one (1) mile from the boundary of the permitted construction site and directly support the construction activity;
- (b) an SWP3 is developed for the permitted construction site according to the provisions of this general permit, and includes appropriate controls and measures to reduce erosion and discharge of pollutants in stormwater runoff from the construction support activities; and
- (c) the construction support activities either do not operate beyond the completion date of the construction activity or, at the time that they do, are authorized under separate Texas Pollutant Discharge Elimination System (TPDES) authorization. Separate TPDES authorization may include the TPDES Multi Sector General Permit (MSGP), TXR050000 (related to stormwater discharges associated with industrial activity), separate authorization under this general permit if applicable, coverage under an alternative general permit if available, or authorization under an individual water quality permit.

3. Non-Stormwater Discharges

The following non-stormwater discharges from sites authorized under this general permit are also eligible for authorization under this general permit:

- (a) discharges from fire fighting activities (fire fighting activities do not include washing of trucks, run-off water from training activities, test water from fire suppression systems, or similar activities);
- (b) uncontaminated fire hydrant flushings (excluding discharges of hyperchlorinated water, unless the water is first dechlorinated and discharges are not expected to adversely affect aquatic life), which include flushings from systems that utilize potable water, surface water, or groundwater that does not contain additional pollutants (uncontaminated fire hydrant flushings do not include systems utilizing reclaimed wastewater as a source water);
- (c) water from the routine external washing of vehicles, the external portion of buildings or structures, and pavement, where detergents and soaps are not used, where spills or leaks of toxic or hazardous materials have not occurred (unless spilled materials

have been removed; and if local state, or federal regulations are applicable, the materials are removed according to those regulations), and where the purpose is to remove mud, dirt, or dust;

- (d) uncontaminated water used to control dust;
- (e) potable water sources, including waterline flushings, but excluding discharges of hyperchlorinated water, unless the water is first dechlorinated and discharges are not expected to adversely affect aquatic life;
- (f) uncontaminated air conditioning condensate;
- (g) uncontaminated ground water or spring water, including foundation or footing drains where flows are not contaminated with industrial materials such as solvents; and
- (h) lawn watering and similar irrigation drainage.

4. Other Permitted Discharges

Any discharge authorized under a separate National Pollutant Discharge Elimination System (NPDES), TPDES, or TCEQ permit may be combined with discharges authorized by this general permit, provided those discharges comply with the associated permit.

Section B. Concrete Truck Wash Out

The wash out of concrete trucks at regulated construction sites must be performed in accordance with the requirements of Part V of this general permit.

Section C. Limitations on Permit Coverage

1. Post Construction Discharges

Discharges that occur after construction activities have been completed, and after the construction site and any supporting activity site have undergone final stabilization, are not eligible for coverage under this general permit. Discharges originating from the sites are not authorized under this general permit following the submission of the notice of termination (NOT) or removal of the appropriate site notice, as applicable, for the regulated construction activity.

2. Prohibition of Non-Stormwater Discharges

Except as otherwise provided in Part II.A. of this general permit, only discharges that are composed entirely of stormwater associated with construction activity may be authorized under this general permit.

3. Compliance With Water Quality Standards

Discharges to surface water in the state that would cause, have the reasonable potential to cause, or contribute to a violation of water quality standards or that would fail to protect and maintain existing designated uses are not eligible for coverage under this general permit. The executive director may require an application for an individual permit or alternative general permit (see Parts II.H.2. and 3.) to authorize discharges to surface water in the state if the executive director determines that any activity will cause, has the reasonable potential to cause, or contribute to a violation of water quality standards or is found to cause, has the reasonable potential to cause, or contribute to, the impairment of a designated use. The executive director may also require an application for an individual permit considering factors described in Part II.H.2. of this general permit.

4. Impaired Receiving Waters and Total Maximum Daily Load (TMDL) Requirements

New sources or new discharges of the pollutants of concern to impaired waters are not authorized by this permit unless otherwise allowable under 30 TAC Chapter 305 and applicable state law. Impaired waters are those that do not meet applicable water quality standards and are listed on the EPA approved CWA §303(d) List. Pollutants of concern are those for which the water body is listed as impaired.

Discharges of the pollutants of concern to impaired water bodies for which there is a TMDL are not eligible for this general permit unless they are consistent with the approved TMDL. Permittees must incorporate the conditions and requirements applicable to their discharges into their SWP3, in order to be eligible for coverage under this general permit. For consistency with the construction stormwater-related items in an approved TMDL, the SWP3 must be consistent with any applicable condition, goal, or requirement in the TMDL, TMDL Implementation Plan (I-Plan), or as otherwise directed by the executive director.

5. Discharges to the Edwards Aquifer Recharge or Contributing Zone

Discharges cannot be authorized by this general permit where prohibited by 30 TAC Chapter 213 (relating to Edwards Aquifer). In addition, commencement of construction (i.e., the initial disturbance of soils associated with clearing, grading, or excavating activities, as well as other construction-related activities such as stockpiling of fill material and demolition) at a site regulated under 30 TAC Chapter 213, may not begin until the appropriate Edwards Aquifer Protection Plan (EAPP) has been approved by the TCEQ's Edwards Aquifer Protection Program.

- (a) For new discharges located within the Edwards Aquifer Recharge Zone, or within that area upstream from the recharge zone and defined as the Contributing Zone (CZ), operators must meet all applicable requirements of, and operate according to, 30 TAC Chapter 213 (Edwards Aquifer Rule) in addition to the provisions and requirements of this general permit.
- (b) For existing discharges located within the Edwards Aquifer Recharge Zone, the requirements of the agency-approved Water Pollution Abatement Plan (WPAP) under the Edwards Aquifer Rule is in addition to the requirements of this general permit. BMPs and maintenance schedules for structural stormwater controls, for example, may be required as a provision of the rule. All applicable requirements of the Edwards Aquifer Rule for reductions of suspended solids in stormwater runoff are in addition to the requirements in this general permit for this pollutant.

6. Discharges to Specific Watersheds and Water Quality Areas

Discharges otherwise eligible for coverage cannot be authorized by this general permit where prohibited by 30 TAC Chapter 311 (relating to Watershed Protection) for water quality areas and watersheds.

7. Protection of Streams and Watersheds by Other Governmental Entities

This general permit does not limit the authority or ability of federal, other state, or local governmental entities from placing additional or more stringent requirements on construction activities or discharges from construction activities. For example, this permit does not limit the authority of a home-rule municipality provided by Texas Local Government Code §401.002.

8. Indian Country Lands

Stormwater runoff from construction activities occurring on Indian Country lands are not under the authority of the TCEQ and are not eligible for coverage under this general permit. If discharges of stormwater require authorization under federal NPDES

regulations, authority for these discharges must be obtained from the U.S. Environmental Protection Agency (EPA).

9. Oil and Gas Production

Stormwater runoff from construction activities associated with the exploration, development, or production of oil or gas or geothermal resources, including transportation of crude oil or natural gas by pipeline, are not under the authority of the TCEQ and are not eligible for coverage under this general permit. If discharges of stormwater require authorization under federal NPDES regulations, authority for these discharges must be obtained from the EPA.

10. Stormwater Discharges from Agricultural Activities

Stormwater discharges from agricultural activities that are not point source discharges of stormwater are not subject to TPDES permit requirements. These activities may include clearing and cultivating ground for crops, construction of fences to contain livestock, construction of stock ponds, and other similar agricultural activities. Discharges of stormwater runoff associated with the construction of facilities that are subject to TPDES regulations, such as the construction of concentrated animal feeding operations, would be point sources regulated under this general permit.

11. Endangered Species Act

Discharges that would adversely affect a listed endangered or threatened aquatic or aquatic-dependent species or its critical habitat are not authorized by this permit, unless the requirements of the Endangered Species Act are satisfied. Federal requirements related to endangered species apply to all TPDES permitted discharges and site-specific controls may be required to ensure that protection of endangered or threatened species is achieved. If a permittee has concerns over potential impacts to listed species, the permittee may contact TCEQ for additional information.

12. Other

Nothing in Part II of the general permit is intended to negate any person's ability to assert the force majeure (act of God, war, strike, riot, or other catastrophe) defenses found in 30 TAC §70.7.

Section D. Deadlines for Obtaining Authorization to Discharge

1. Large Construction Activities

- (a) New Construction - Discharges from sites where the commencement of construction occurs on or after the effective date of this general permit must be authorized, either under this general permit or a separate TPDES permit, prior to the commencement of those construction activities.
- (b) Ongoing Construction - Operators of large construction activities continuing to operate after the effective date of this permit, and authorized under TPDES general permit TXR150000 (effective on March 5, 2008), must submit an NOI to renew authorization or a NOT to terminate coverage under this general permit within 90 days of the effective date of this general permit. During this interim period, as a requirement of this TPDES permit, the operator must continue to meet the conditions and requirements of the previous TPDES permit.

2. Small Construction Activities

- (a) New Construction - Discharges from sites where the commencement of construction occurs on or after the effective date of this general permit must be authorized, either

under this general permit or a separate TPDES permit, prior to the commencement of those construction activities.

- (b) Ongoing Construction - Discharges from ongoing small construction activities that commenced prior to the effective date of this general permit, and that would not meet the conditions to qualify for termination of this permit as described in Part II.E. of this general permit, must meet the requirements to be authorized, either under this general permit or a separate TPDES permit, within 90 days of the effective date of this general permit. During this interim period, as a requirement of this TPDES permit, the operator must continue to meet the conditions and requirements of the previous TPDES permit.

Section E. Obtaining Authorization to Discharge

1. Automatic Authorization for Small Construction Activities With Low Potential for Erosion:

If all of the following conditions are met, then a small construction activity is determined to occur during periods of low potential for erosion, and a site operator may be automatically authorized under this general permit without being required to develop an SWP3 or submit an NOI:

- (a) the construction activity occurs in a county listed in Appendix A;
- (b) the construction activity is initiated and completed, including either final or temporary stabilization of all disturbed areas, within the time frame identified in Appendix A for the location of the construction site;
- (c) all temporary stabilization is adequately maintained to effectively reduce or prohibit erosion, permanent stabilization activities have been initiated, and a condition of final stabilization is completed no later than 30 days following the end date of the time frame identified in Appendix A for the location of the construction site;
- (d) the permittee signs a completed TCEQ construction site notice, including the certification statement;
- (e) a signed copy of the construction site notice is posted at the construction site in a location where it is readily available for viewing by the general public, local, state, and federal authorities prior to commencing construction activities, and maintained in that location until completion of the construction activity;
- (f) a copy of the signed and certified construction site notice is provided to the operator of any MS4 receiving the discharge at least two days prior to commencement of construction activities;
- (g) any supporting concrete batch plant or asphalt batch plant is separately authorized for discharges of stormwater runoff or other non-stormwater discharges under an individual TPDES permit, another TPDES general permit, or under an individual TCEQ permit where stormwater and non-stormwater is disposed of by evaporation or irrigation (discharges are adjacent to water in the state); and
- (h) any non-stormwater discharges are either authorized under a separate permit or authorization, or are not considered to be a wastewater.

Part II.G. of this general permit describes how an operator may apply for and obtain a waiver from permitting, for certain small construction activities that occur during a period with a low potential for erosion, where automatic authorization under this section is not available.

2. Automatic Authorization For All Other Small Construction Activities:

Operators of small construction activities not described in Part II.E.1. above may be automatically authorized under this general permit, and operators of these sites shall not be required to submit an NOI, provided that they meet all of the following conditions:

- (a) develop a SWP3 according to the provisions of this general permit, that covers either the entire site or all portions of the site for which the applicant is the operator, and implement that plan prior to commencing construction activities;
- (b) sign and certify a completed TCEQ small construction site notice, post the notice at the construction site in a location where it is safely and readily available for viewing by the general public, local, state, and federal authorities, prior to commencing construction, and maintain the notice in that location until completion of the construction activity (for linear construction activities, e.g. pipeline or highway, the site notice must be placed in a publicly accessible location near where construction is actively underway; notice for these linear sites may be relocated, as necessary, along the length of the project, and the notice must be safely and readily available for viewing by the general public; local, state, and federal authorities); and
- (c) provide a copy of the signed and certified construction site notice to the operator of any municipal separate storm sewer system receiving the discharge prior to commencement of construction activities.

Operators of small construction activities as defined in Part I.B of this general permit shall not submit an NOI for coverage unless otherwise required by the executive director.

As described in Part I (Definitions) of this general permit, large construction activities include those that will disturb less than five (5) acres of land, but that are part of a larger common plan of development or sale that will ultimately disturb five (5) or more acres of land, and must meet the requirements of Part II.E.3. below.

3. Authorization for Large Construction Activities:

Operators of large construction activities that qualify for coverage under this general permit must meet all of the following conditions:

- (a) develop a SWP3 according to the provisions of this general permit that covers either the entire site or all portions of the site for which the applicant is the operator, and implement that plan prior to commencing construction activities;
- (b) primary operators must submit an NOI, using a form provided by the executive director, at least seven (7) days prior to commencing construction activities, or if utilizing electronic submittal, prior to commencing construction activities. If an additional primary operator is added after the initial NOI is submitted, the new primary operator must submit an NOI at least seven (7) days before assuming operational control, or if utilizing electronic NOI submittal, prior to assuming operational control. If the primary operator changes after the initial NOI is submitted, the new primary operator must submit a paper NOI or an electronic NOI at least ten (10) days before assuming operational control;
- (c) all operators of large construction activities must post a site notice in accordance with Part III.D.2. of this permit. The site notice must be located where it is safely and readily available for viewing by the general public, local, state, and federal authorities prior to commencing construction, and must be maintained in that location until completion of the construction activity (for linear construction activities, e.g. pipeline or highway, the site notice must be placed in a publicly accessible location near where construction is actively underway; notice for these linear sites may be relocated, as necessary, along the length of the project, and the notice must be safely and readily available for viewing by the general public; local, state, and federal authorities);

- (d) prior to commencing construction activities, all primary operators must (1) provide a copy of the signed NOI to the operator of any MS4 receiving the discharge and to any secondary construction operator, and (2) list in the SWP3 the names and addresses of all MS4 operators receiving a copy;
- (e) all persons meeting the definition of “secondary operator” in Part I of this permit are hereby notified that they are regulated under this general permit, but are not required to submit an NOI, provided that a primary operator at the site has submitted an NOI, or is required to submit an NOI, and the secondary operator has provided notification to the operator(s) of the need to obtain coverage (with records of notification available upon request). Any secondary operator notified under this provision may alternatively submit an NOI under this general permit, may seek coverage under an alternative TPDES individual permit, or may seek coverage under an alternative TPDES general permit if available; and
- (f) all secondary operators must provide a copy of the signed and certified Secondary Operator construction site notice to the operator of any MS4 receiving the discharge prior to commencement of construction activities.

4. Waivers for Small Construction Activities:

Part II.G. describes how operators of certain small construction activities may obtain a waiver from coverage.

5. Effective Date of Coverage

- (a) Operators of small construction activities as described in either Part II.E.1. or II.E.2. above are authorized immediately following compliance with the applicable conditions of Part II.E.1. or II.E.2. Secondary operators of large construction activities as described in Part II.E.3. above are authorized immediately following compliance with the applicable conditions in Part II.E.3. For activities located in areas regulated by 30 TAC Chapter 213, related to the Edwards Aquifer, this authorization to discharge is separate from the requirements of the operator’s responsibilities under that rule. Construction may not commence for sites regulated under 30 TAC Chapter 213 until all applicable requirements of that rule are met.
- (b) Primary operators of large construction activities as described in Part II.E.3. above are provisionally authorized seven (7) days from the date that a completed NOI is postmarked for delivery to the TCEQ, unless otherwise notified by the executive director. If electronic submission of the NOI is provided, and unless otherwise notified by the executive director, primary operators are authorized immediately following confirmation of receipt of the NOI by the TCEQ. Authorization is non-provisional when the executive director finds the NOI is administratively complete and an authorization number is issued for the activity. For activities located in areas regulated by 30 TAC Chapter 213, related to the Edwards Aquifer, this authorization to discharge is separate from the requirements of the operator’s responsibilities under that rule. Construction may not commence for sites regulated under 30 TAC Chapter 213 until all applicable requirements of that rule are met.
- (c) Operators are not prohibited from submitting late NOIs or posting late notices to obtain authorization under this general permit. The TCEQ reserves the right to take appropriate enforcement actions for any unpermitted activities that may have occurred between the time construction commenced and authorization was obtained.

6. Notice of Change (NOC)

If relevant information provided in the NOI changes, an NOC must be submitted at least 14 days before the change occurs, if possible. Where 14-day advance notice is not possible, the operator must submit an NOC within 14 days of discovery of the change. If

the operator becomes aware that it failed to submit any relevant facts or submitted incorrect information in an NOI, the correct information must be provided to the executive director in an NOC within 14 days after discovery. The NOC shall be submitted on a form provided by the executive director, or by letter if an NOC form is not available. A copy of the NOC must also be provided to the operator of any MS4 receiving the discharge, and a list must be included in the SWP3 that includes the names and addresses of all MS4 operators receiving a copy.

Information that may be included on an NOC includes, but is not limited to, the following: the description of the construction project, an increase in the number of acres disturbed (for increases of one or more acres), or the operator name. A transfer of operational control from one operator to another, including a transfer of the ownership of a company, may not be included in an NOC.

A transfer of ownership of a company includes changes to the structure of a company, such as changing from a partnership to a corporation or changing corporation types, so that the filing number (or charter number) that is on record with the Texas Secretary of State must be changed.

An NOC is not required for notifying TCEQ of a decrease in the number of acres disturbed. This information must be included in the SWP3 and retained on site.

7. Signatory Requirement for NOI Forms, Notice of Termination (NOT) Forms, NOC Letters, and Construction Site Notices

NOI forms, NOT forms, NOC letters, and Construction Site Notices that require a signature must be signed according to 30 TAC § 305.44 (relating to Signatories for Applications).

8. Contents of the NOI

The NOI form shall require, at a minimum, the following information:

- (a) the TPDES CGP authorization number for existing authorizations under this general permit, where the operator submits an NOI to renew coverage within 90 days of the effective date of this general permit;
- (b) the name, address, and telephone number of the operator filing the NOI for permit coverage;
- (c) the name (or other identifier), address, county, and latitude/longitude of the construction project or site;
- (d) the number of acres that will be disturbed by the applicant;
- (e) confirmation that the project or site will not be located on Indian Country lands;
- (f) confirmation that a SWP3 has been developed in accordance with this general permit, that it will be implemented prior to construction, and that it is compliant with any applicable local sediment and erosion control plans; for multiple operators who prepare a shared SWP3, the confirmation for an operator may be limited to its obligations under the SWP3 provided all obligations are confirmed by at least one operator;
- (g) name of the receiving water(s);
- (h) the classified segment number for each classified segment that receives discharges from the regulated construction activity (if the discharge is not directly to a classified segment, then the classified segment number of the first classified segment that those discharges reach); and
- (i) the name of all surface waters receiving discharges from the regulated construction activity that are on the latest EPA-approved CWA § 303(d) List of impaired waters.

Section F. Terminating Coverage**1. Notice of Termination (NOT) Required**

Each operator that has submitted an NOI for authorization under this general permit must apply to terminate that authorization following the conditions described in this section of the general permit. Authorization must be terminated by submitting an NOT on a form supplied by the executive director. Authorization to discharge under this general permit terminates at midnight on the day the NOT is postmarked for delivery to the TCEQ. If electronic submission of the NOT is provided, authorization to discharge under this permit terminates immediately following confirmation of receipt of the NOT by the TCEQ. Compliance with the conditions and requirements of this permit is required until an NOT is submitted.

The NOT must be submitted to TCEQ, and a copy of the NOT provided to the operator of any MS4 receiving the discharge (with a list in the SWP3 of the names and addresses of all MS4 operators receiving a copy), within 30 days after any of the following conditions are met:

- (a) final stabilization has been achieved on all portions of the site that are the responsibility of the permittee;
- (b) a transfer of operational control has occurred (See Section II.F.4. below); or
- (c) the operator has obtained alternative authorization under an individual TPDES permit or alternative TPDES general permit.

2. Minimum Contents of the NOT

The NOT form shall require, at a minimum, the following information:

- (a) if authorization was granted following submission of an NOI, the permittee's site-specific TPDES authorization number for the construction site;
- (b) an indication of whether the construction activity is completed or if the permittee is simply no longer an operator at the site;
- (c) the name, address, and telephone number of the permittee submitting the NOT;
- (d) the name (or other identifier), address, county, and location (latitude/longitude) of the construction project or site; and
- (e) a signed certification that either all stormwater discharges requiring authorization under this general permit will no longer occur, or that the applicant is no longer the operator of the facility or construction site, and that all temporary structural erosion controls have either been removed, will be removed on a schedule defined in the SWP3, or have been transferred to a new operator if the new operator has applied for permit coverage. Erosion controls that are designed to remain in place for an indefinite period, such as mulches and fiber mats, are not required to be removed or scheduled for removal.

3. Termination of Coverage for Small Construction Sites and for Secondary Operators at Large Construction Sites

Each operator that has obtained automatic authorization and has not been required to submit an NOI must remove the site notice upon meeting any of the conditions listed below, complete the applicable portion of the site notice related to removal of the site notice, and submit a copy of the completed site notice to the operator of any MS4 receiving the discharge (or provide alternative notification as allowed by the MS4 operator, with documentation of such notification included in the SWP3), within 30 days of meeting any of the following conditions:

- (a) final stabilization has been achieved on all portions of the site that are the responsibility of the permittee;
- (b) a transfer of operational control has occurred (See Section II.F.4. below); or
- (c) the operator has obtained alternative authorization under an individual or general TPDES permit.

Authorization to discharge under this general permit terminates immediately upon removal of the applicable site notice. Compliance with the conditions and requirements of this permit is required until the site notice is removed.

4. Transfer of Operational Control

Coverage under this general permit is not transferable. A transfer of operational control includes changes to the structure of a company, such as changing from a partnership to a corporation, or changing to a different corporation type such that a different filing (or charter) number is established with the Texas Secretary of State.

When the primary operator of a large construction activity changes or operational control is transferred, the original operator must submit an NOT within ten (10) days prior to the date that responsibility for operations terminates, and the new operator must submit an NOI at least ten (10) days prior to the transfer of operational control, in accordance with condition (a) or (b) below. A copy of the NOT must be provided to the operator of any MS4 receiving the discharge in accordance with Section II.F.1. above.

Operators of regulated construction activities who are not required to submit an NOI must remove the original site notice, and the new operator must post the required site notice prior to the transfer of operational control, in accordance with condition (a) or (b) below. A copy of the completed site notice must be provided to the operator of any MS4 receiving the discharge, in accordance with Section II.F.3. above.

A transfer of operational control occurs when either of the following criteria is met:

- (a) Another operator has assumed control over all areas of the site that have not been finally stabilized; and all silt fences and other temporary erosion controls have either been removed, scheduled for removal as defined in the SWP3, or transferred to a new operator, provided that the permitted operator has attempted to notify the new operator in writing of the requirement to obtain permit coverage. Record of this notification (or attempt at notification) shall be retained by the operator in accordance with Part VI of this permit. Erosion controls that are designed to remain in place for an indefinite period, such as mulches and fiber mats, are not required to be removed or scheduled for removal.
- (b) A homebuilder has purchased one or more lots from an operator who obtained coverage under this general permit for a common plan of development or sale. The homebuilder is considered a new operator and shall comply with the requirements listed above, including the development of a SWP3 if necessary. Under these circumstances, the homebuilder is only responsible for compliance with the general permit requirements as they apply to lot(s) it has operational control over, and the original operator remains responsible for common controls or discharges, and must amend its SWP3 to remove the lot(s) transferred to the homebuilder.

Section G. Waivers from Coverage

The executive director may waive the otherwise applicable requirements of this general permit for stormwater discharges from small construction activities under the terms and conditions described in this section.

1. Waiver Applicability and Coverage

Operators of small construction activities may apply for and receive a waiver from the requirements to obtain authorization under this general permit, where all of the following conditions are met. This waiver from coverage does not apply to non-stormwater discharges. The operator must insure that any non-stormwater discharges are either authorized under a separate permit or authorization, or are not considered to be a wastewater.

- (a) the calculated rainfall erosivity (R) factor for the entire period of the construction project is less than five (5);
- (b) the operator submits to the TCEQ a signed waiver certification form, supplied by the executive director, certifying that the construction activity will commence and be completed within a period when the value of the calculated R factor is less than five (5); and
- (c) the waiver certification form is postmarked for delivery to the TCEQ at least seven (7) days before construction activity begins or, if electronic filing is available, then any time following the receipt of written confirmation from TCEQ that a complete electronic application was submitted and acknowledged.

2. Steps to Obtaining a Waiver

The construction site operator may calculate the R factor to request a waiver using the following steps:

- (a) Estimate the construction start date and the construction end date. The construction end date is the date that final stabilization will be achieved.
- (b) Find the appropriate Erosivity Index (EI) zone in Appendix B of this permit.
- (c) Find the EI percentage for the project period by adding the results for each period of the project using the table provided in Appendix D of this permit, in EPA Fact Sheet 2.1, or in USDA Handbook 703, by subtracting the start value from the end value to find the percent EI for the site.
- (d) Refer to the Isoerodent Map (Appendix C of this permit) and interpolate the annual isoerodent value for the proposed construction location.
- (e) Multiply the percent value obtained in Step (c) above by the annual isoerodent value obtained in Step (d). This is the R factor for the proposed project. If the value is less than 5, then a waiver may be obtained. If the value is five (5) or more, then a waiver may not be obtained, and the operator must obtain coverage under Part II.E.2. of this permit.

Alternatively, the operator may calculate a site-specific R factor utilizing the following online calculator: <http://ei.tamu.edu/index.html>, or using another available resource.

The waiver certification form is not required to be posted at the small construction site.

3. Effective Date of Waiver

Operators of small construction activities are provisionally waived from the otherwise applicable requirements of this general permit seven (7) days from the date that a completed waiver certification form is postmarked for delivery to TCEQ, or immediately upon receiving confirmation of approval of an electronic submittal, if electronic form submittals are available.

4. Activities Extending Beyond the Waiver Period

If a construction activity extends beyond the approved waiver period due to circumstances beyond the control of the operator, the operator must either:

- (a) recalculate the R factor using the original start date and a new projected ending date, and if the R factor is still under five (5), submit a new waiver certification form at least two (2) days before the end of the original waiver period; or
- (b) obtain authorization under this general permit according to the requirements delineated in either Part II.E.2. or Part II.E.3. before the end of the approved waiver period.

Section H. Alternative TPDES Permit Coverage

1. Individual Permit Alternative

Any discharge eligible for coverage under this general permit may alternatively be authorized under an individual TPDES permit according to 30 TAC §305 (relating to Consolidated Permits). Applications for individual permit coverage should be submitted at least three hundred and thirty (330) days prior to commencement of construction activities to ensure timely authorization.

2. Individual Permit Required

The executive director may suspend an authorization or deny an NOI in accordance with the procedures set forth in 30 TAC §205 (relating to General Permits for Waste Discharges), including the requirement that the executive director provide written notice to the permittee. The executive director may require an operator of a construction site, otherwise eligible for authorization under this general permit, to apply for an individual TPDES permit in the following circumstances:

- (a) the conditions of an approved TMDL or TMDL I-Plan on the receiving water;
- (b) the activity being determined to cause a violation of water quality standards or being found to cause, or contribute to, the loss of a designated use of surface water in the state; and
- (c) any other consideration defined in 30 TAC Chapter 205 (relating to General Permits for Waste Discharges) including 30 TAC Chapter 205.4(c)(3)(D), which allows the commission to deny authorization under the general permit and require an individual permit if a discharger “has been determined by the executive director to have been out of compliance with any rule, order, or permit of the commission, including non-payment of fees assessed by the executive director.”

Additionally, the executive director may cancel, revoke, or suspend authorization to discharge under this general permit based on a finding of historical and significant noncompliance with the provisions of this general permit, relating to 30 TAC §60.3 (Use of Compliance History). Denial of authorization to discharge under this general permit or suspension of a permittee’s authorization under this general permit shall be done according to commission rules in 30 TAC Chapter 205 (relating to General Permits for Waste Discharges).

3. Alternative Discharge Authorization

Any discharge eligible for authorization under this general permit may alternatively be authorized under a separate general permit according to 30 TAC Chapter 205 (relating to General Permits for Waste Discharges), if applicable.

Section I. Permit Expiration

- 1. This general permit is effective for a term not to exceed five (5) years. All active discharge authorizations expire on the date provided on page one (1) of this permit. Following public notice and comment, as provided by 30 TAC §205.3 (relating to

Public Notice, Public Meetings, and Public Comment), the commission may amend, revoke, cancel, or renew this general permit.

2. If the executive director publishes a notice of the intent to renew or amend this general permit before the expiration date, the permit will remain in effect for existing, authorized discharges until the commission takes final action on the permit. Upon issuance of a renewed or amended permit, permittees may be required to submit an NOI within 90 days following the effective date of the renewed or amended permit, unless that permit provides for an alternative method for obtaining authorization.
3. If the commission does not propose to reissue this general permit within 90 days before the expiration date, permittees shall apply for authorization under an individual permit or an alternative general permit. If the application for an individual permit is submitted before the expiration date, authorization under this expiring general permit remains in effect until the issuance or denial of an individual permit. No new NOIs will be accepted nor new authorizations honored under the general permit after the expiration date.

Part III. Stormwater Pollution Prevention Plans (SWP3)

All regulated construction site operators shall prepare an SWP3, prior to submittal of an NOI, to address discharges authorized under Parts II.E.2. and II.E.3. of this general permit that will reach Waters of the U.S., including discharges to MS4s and privately owned separate storm sewer systems that drain to Waters of the U.S., to identify and address potential sources of pollution that are reasonably expected to affect the quality of discharges from the construction site, including off-site material storage areas, overburden and stockpiles of dirt, borrow areas, equipment staging areas, vehicle repair areas, fueling areas, etc., used solely by the permitted project. The SWP3 must describe the implementation of practices that will be used to minimize to the extent practicable the discharge of pollutants in stormwater associated with construction activity and non-stormwater discharges described in Part II.A.3., in compliance with the terms and conditions of this permit.

Individual operators at a site may develop separate SWP3s that cover only their portion of the project, provided reference is made to the other operators at the site. Where there is more than one SWP3 for a site, permittees must coordinate to ensure that BMPs and controls are consistent and do not negate or impair the effectiveness of each other. Regardless of whether a single comprehensive SWP3 is developed or separate SWP3s are developed for each operator, it is the responsibility of each operator to ensure compliance with the terms and conditions of this general permit in the areas of the construction site where that operator has control over construction plans and specifications or day-to-day operations.

Section A. Shared SWP3 Development

For more effective coordination of BMPs and opportunities for cost sharing, a cooperative effort by the different operators at a site is encouraged. Operators must independently obtain authorization, but may work together to prepare and implement a single, comprehensive SWP3 for the entire construction site.

1. The SWP3 must clearly list the name and, for large construction activities, the general permit authorization numbers, for each operator that participates in the shared SWP3. Until the TCEQ responds to receipt of the NOI with a general permit authorization number, the SWP3 must specify the date that the NOI was submitted to TCEQ by each operator. Each operator participating in the shared plan must also sign the SWP3.

2. The SWP3 must clearly indicate which operator is responsible for satisfying each shared requirement of the SWP3. If the responsibility for satisfying a requirement is not described in the plan, then each permittee is entirely responsible for meeting the requirement within the boundaries of the construction site where they perform construction activities. The SWP3 must clearly describe responsibilities for meeting each requirement in shared or common areas.
3. The SWP3 may provide that one operator is responsible for preparation of a SWP3 in compliance with the CGP, and another operator is responsible for implementation of the SWP3 at the project site.

Section B. Responsibilities of Operators

1. Secondary Operators and Primary Operators with Control Over Construction Plans and Specifications

All secondary operators and primary operators with control over construction plans and specifications shall:

- (a) ensure the project specifications allow or provide that adequate BMPs are developed to meet the requirements of Part III of this general permit;
- (b) ensure that the SWP3 indicates the areas of the project where they have control over project specifications, including the ability to make modifications in specifications;
- (c) ensure that all other operators affected by modifications in project specifications are notified in a timely manner so that those operators may modify their BMPs as necessary to remain compliant with the conditions of this general permit; and
- (d) ensure that the SWP3 for portions of the project where they are operators indicates the name and site-specific TPDES authorization number(s) for operators with the day-to-day operational control over those activities necessary to ensure compliance with the SWP3 and other permit conditions. If the party with day-to-day operational control has not been authorized or has abandoned the site, the person with control over project specifications is considered to be the responsible party until the authority is transferred to another party and the SWP3 is updated.

2. Primary Operators with Day-to-Day Operational Control

Primary operators with day-to-day operational control of those activities at a project that are necessary to ensure compliance with an SWP3 and other permit conditions must ensure that the SWP3 accomplishes the following requirements:

- (a) meets the requirements of this general permit for those portions of the project where they are operators;
- (b) identifies the parties responsible for implementation of BMPs described in the SWP3;
- (c) indicates areas of the project where they have operational control over day-to-day activities; and
- (d) includes, for areas where they have operational control over day-to-day activities, the name and site-specific TPDES authorization number of the parties with control over project specifications, including the ability to make modifications in specifications.

Section C. Deadlines for SWP3 Preparation, Implementation, and Compliance

The SWP3 must be prepared prior to obtaining authorization under this general permit, and implemented prior to commencing construction activities that result in soil

disturbance. The SWP3 must be prepared so that it provides for compliance with the terms and conditions of this general permit.

Section D. Plan Review and Making Plans Available

1. The SWP3 must be retained on-site at the construction site or, if the site is inactive or does not have an on-site location to store the plan, a notice must be posted describing the location of the SWP3. The SWP3 must be made readily available at the time of an on-site inspection to: the executive director; a federal, state, or local agency approving sediment and erosion plans, grading plans, or stormwater management plans; local government officials; and the operator of a municipal separate storm sewer receiving discharges from the site. If the SWP3 is retained off-site, then it shall be made available as soon as reasonably possible. In most instances, it is reasonable that the SWP3 shall be made available within 24 hours of the request.
2. A primary operator of a large construction activity must post the TCEQ site notice near the main entrance of the construction site. An operator of a small construction activity seeking authorization under this general permit and a secondary operator of a large construction activity must post the TCEQ site notice required in Part II.E.1., 2., or 3. of this general permit in order to obtain authorization. If the construction project is a linear construction project, such as a pipeline or highway, the notices must be placed in a publicly accessible location near where construction is actively underway. Notices for these linear sites may be relocated, as necessary, along the length of the project. The notices must be readily available for viewing by the general public; local, state, and federal authorities; and contain the following information:
 - (a) the site-specific TPDES authorization number for the project if assigned;
 - (b) the operator name, contact name, and contact phone number;
 - (c) a brief description of the project; and
 - (d) the location of the SWP3.
3. This permit does not provide the general public with any right to trespass on a construction site for any reason, including inspection of a site; nor does this permit require that permittees allow members of the general public access to a construction site.

Section E. Revisions and Updates to SWP3s

The permittee must revise or update the SWP3 whenever the following occurs:

1. a change in design, construction, operation, or maintenance that has a significant effect on the discharge of pollutants and that has not been previously addressed in the SWP3;
2. changing site conditions based on updated plans and specifications, new operators, new areas of responsibility, and changes in BMPs; or
3. results of inspections or investigations by site operators, operators of a municipal separate storm sewer system receiving the discharge, authorized TCEQ personnel, or a federal, state or local agency approving sediment and erosion plans indicate the SWP3 is proving ineffective in eliminating or significantly minimizing pollutants in discharges authorized under this general permit.

Section F. Contents of SWP3

The SWP3 must include, at a minimum, the information described in this section and must comply with the construction and development effluent guidelines in Part III, Section G of the general permit.

1. A site or project description, which includes the following information:
 - (a) a description of the nature of the construction activity;
 - (b) a list of potential pollutants and their sources;
 - (c) a description of the intended schedule or sequence of activities that will disturb soils for major portions of the site, including estimated start dates and duration of activities;
 - (d) the total number of acres of the entire property and the total number of acres where construction activities will occur, including off-site material storage areas, overburden and stockpiles of dirt, and borrow areas that are authorized under the permittee's NOI;
 - (e) data describing the soil or the quality of any discharge from the site;
 - (f) a map showing the general location of the site (e.g. a portion of a city or county map);
 - (g) a detailed site map (or maps) indicating the following:
 - (i) drainage patterns and approximate slopes anticipated after major grading activities;
 - (ii) areas where soil disturbance will occur;
 - (iii) locations of all controls and buffers, either planned or in place;
 - (iv) locations where temporary or permanent stabilization practices are expected to be used;
 - (v) locations of construction support activities, including off-site activities, that are authorized under the permittee's NOI, including material, waste, borrow, fill, or equipment or chemical storage areas;
 - (vi) surface waters (including wetlands) either at, adjacent, or in close proximity to the site, and also indicating those that are impaired waters;
 - (vii) locations where stormwater discharges from the site directly to a surface water body or a municipal separate storm sewer system;
 - (viii) vehicle wash areas; and
 - (ix) designated points on the site where vehicles will exit onto paved roads (for instance, this applies to construction transition from unstable dirt areas to exterior paved roads).

Where the amount of information required to be included on the map would result in a single map being difficult to read and interpret, the operator shall develop a series of maps that collectively include the required information.

- (h) the location and description of support activities authorized under the permittee's NOI, including asphalt plants, concrete plants, and other activities providing support to the construction site that is authorized under this general permit;
- (i) the name of receiving waters at or near the site that may be disturbed or that may receive discharges from disturbed areas of the project;
- (j) a copy of this TPDES general permit;
- (k) the NOI and acknowledgement certificate for primary operators of large construction sites, and the site notice for small construction sites and for secondary operators of large construction sites;
- (l) stormwater and allowable non-stormwater discharge locations, including storm drain inlets on site and in the immediate vicinity of the construction site; and

- (m) locations of all pollutant-generating activities, such as paving operations; concrete, paint and stucco washout and water disposal; solid waste storage and disposal; and dewatering operations.
2. A description of the BMPs that will be used to minimize pollution in runoff.

The description must identify the general timing or sequence for implementation. At a minimum, the description must include the following components:

(a) General Requirements

- (i) Erosion and sediment controls must be designed to retain sediment on-site to the extent practicable with consideration for local topography, soil type, and rainfall.
- (ii) Control measures must be properly selected, installed, and maintained according to the manufacturer's or designer's specifications.
- (iii) Controls must be developed to minimize the offsite transport of litter, construction debris, and construction materials.

(b) Erosion Control and Stabilization Practices

The SWP3 must include a description of temporary and permanent erosion control and stabilization practices for the site, compliant with the requirements of Part III.G.1 and G.2 of this general permit, including a schedule of when the practices will be implemented. Site plans should ensure that existing vegetation is preserved where it is possible.

- (i) Erosion control and stabilization practices may include but are not limited to: establishment of temporary or permanent vegetation, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of existing trees and vegetation, slope texturing, temporary velocity dissipation devices, flow diversion mechanisms, and other similar measures.
- (ii) The following records must be maintained and either attached to or referenced in the SWP3, and made readily available upon request to the parties listed in Part III.D.1 of this general permit:
 - (A) the dates when major grading activities occur;
 - (B) the dates when construction activities temporarily or permanently cease on a portion of the site; and
 - (C) the dates when stabilization measures are initiated.
- (iii) Erosion control and stabilization measures must be initiated immediately in portions of the site where construction activities have temporarily ceased and will not resume for a period exceeding 14 calendar days. Stabilization measures that provide a protective cover must be initiated immediately in portions of the site where construction activities have permanently ceased. The term "immediately" is used to define the deadline for initiating stabilization measures. In the context of this requirement, "immediately" means as soon as practicable, but no later than the end of the next work day, following the day when the earth-disturbing activities have temporarily or permanently ceased. Except as provided in (A) through (D) below, these measures must be completed as soon as practicable, but no more than 14 calendar days after the initiation of soil stabilization measures:
 - (A) Where the immediate initiation of stabilization measures after construction activity temporarily or permanently ceased is precluded

by snow cover or frozen ground conditions, stabilization measures must be initiated as soon as practicable.

- (B) In arid areas, semi-arid areas, or drought-stricken areas where the immediate initiation of stabilization measures after construction activity has temporarily or permanently ceased or is precluded by arid conditions, erosion control and stabilization measures must be initiated as soon as practicable. Where vegetative controls are not feasible due to arid conditions, the operator shall immediately install, and within 14 calendar days of a temporary or permanent cessation of work in any portion of the site complete, non-vegetative erosion controls. If non-vegetative controls are not feasible, the operator shall install temporary sediment controls as required in Paragraph (C) below.
 - (C) In areas where temporary stabilization measures are infeasible, the operator may alternatively utilize temporary perimeter controls. The operator must document in the SWP3 the reason why stabilization measures are not feasible, and must demonstrate that the perimeter controls will retain sediment on site to the extent practicable. The operator must continue to inspect the BMPs at the frequency established in Section III.F.7.(a) for unstabilized sites.
 - (D) If the initiation or completion of vegetative stabilization is affected by circumstances beyond the control of the permittee, vegetative stabilization must be initiated or completed as soon as conditions or circumstances allow it on the site. The requirement to initiate stabilization is triggered as soon as it is known with reasonable certainty that work will be stopped for 14 or more additional calendar days.
 - (iv) Final stabilization must be achieved prior to termination of permit coverage.
 - (v) TCEQ does not expect that temporary or permanent stabilization measures to be applied to areas that are intended to be left un-vegetated or un-stabilized following construction (e.g., dirt access roads, utility pole pads, areas being used for storage of vehicles, equipment, or materials).
- (c) Sediment Control Practices

The SWP3 must include a description of any sediment control practices used to remove eroded soils from stormwater runoff, including the general timing or sequence for implementation of controls.

- (i) Sites With Drainage Areas of Ten or More Acres

(A) Sedimentation Basin(s)

- (1) A sedimentation basin is required, where feasible, for a common drainage location that serves an area with ten (10) or more acres disturbed at one time. A sedimentation basin may be temporary or permanent, and must provide sufficient storage to contain a calculated volume of runoff from a 2-year, 24-hour storm from each disturbed acre drained. When calculating the volume of runoff from a 2-year, 24-hour storm event, it is not required to include the flows from offsite areas and flow from onsite areas that are either undisturbed or have already undergone permanent stabilization, if these flows are diverted around both the disturbed areas of the site and the sediment basin. Capacity calculations shall be included in the SWP3.

- (2) Where rainfall data is not available or a calculation cannot be performed, the sedimentation basin must provide at least 3,600 cubic feet of storage per acre drained until final stabilization of the site.
 - (3) If a sedimentation basin is not feasible, then the permittee shall provide equivalent control measures until final stabilization of the site. In determining whether installing a sediment basin is feasible, the permittee may consider factors such as site soils, slope, available area, public safety, precipitation patterns, site geometry, site vegetation, infiltration capacity, geotechnical factors, depth to groundwater, and other similar considerations. The permittee shall document the reason that the sediment basins are not feasible, and shall utilize equivalent control measures, which may include a series of smaller sediment basins.
 - (4) Unless infeasible, when discharging from sedimentation basins and impoundments, the permittee shall utilize outlet structures that withdraw water from the surface.
 - (B) Perimeter Controls: At a minimum, silt fences, vegetative buffer strips, or equivalent sediment controls are required for all down slope boundaries of the construction area, and for those side slope boundaries deemed appropriate as dictated by individual site conditions.
 - (ii) Controls for Sites With Drainage Areas Less than Ten Acres:
 - (A) Sediment traps and sediment basins may be used to control solids in stormwater runoff for drainage locations serving less than ten (10) acres. At a minimum, silt fences, vegetative buffer strips, or equivalent sediment controls are required for all down slope boundaries of the construction area, and for those side slope boundaries deemed appropriate as dictated by individual site conditions.
 - (B) Alternatively, a sediment basin that provides storage for a calculated volume of runoff from a 2-year, 24-hour storm from each disturbed acre drained may be utilized. Where rainfall data is not available or a calculation cannot be performed, a temporary or permanent sediment basin providing 3,600 cubic feet of storage per acre drained may be provided. If a calculation is performed, then the calculation shall be included in the SWP3.
 - (C) If sedimentation basins or impoundments are used, the permittee shall comply with the requirements in Part III.G.6 of this general permit.
3. Description of Permanent Stormwater Controls
- A description of any measures that will be installed during the construction process to control pollutants in stormwater discharges that may occur after construction operations have been completed must be included in the SWP3. Permittees are only responsible for the installation and maintenance of stormwater management measures prior to final stabilization of the site or prior to submission of an NOT.
4. Other Required Controls and BMPs
- (a) Permittees shall minimize, to the extent practicable, the off-site vehicle tracking of sediments and the generation of dust. The SWP3 shall include a description of controls utilized to accomplish this requirement.

- (b) The SWP3 must include a description of construction and waste materials expected to be stored on-site and a description of controls to minimize pollutants from these materials.
 - (c) The SWP3 must include a description of potential pollutant sources from areas other than construction (such as stormwater discharges from dedicated asphalt plants and dedicated concrete batch plants), and a description of controls and measures that will be implemented at those sites to minimize pollutant discharges.
 - (d) Permittees shall place velocity dissipation devices at discharge locations and along the length of any outfall channel (i.e., runoff conveyance) to provide a non-erosive flow velocity from the structure to a water course, so that the natural physical and biological characteristics and functions are maintained and protected.
 - (e) Permittees shall design and utilize appropriate controls to minimize the offsite transport of suspended sediments and other pollutants if it is necessary to pump or channel standing water from the site.
 - (f) Permittees shall ensure that all other required controls and BMPs comply with all of the requirements of Part III.G of this general permit.
5. Documentation of Compliance with Approved State and Local Plans
- (a) Permittees must ensure that the SWP3 is consistent with requirements specified in applicable sediment and erosion site plans or site permits, or stormwater management site plans or site permits approved by federal, state, or local officials.
 - (b) SWP3s must be updated as necessary to remain consistent with any changes applicable to protecting surface water resources in sediment erosion site plans or site permits, or stormwater management site plans or site permits approved by state or local official for which the permittee receives written notice.
 - (c) If the permittee is required to prepare a separate management plan, including but not limited to a WPAP or Contributing Zone Plan in accordance with 30 TAC Chapter 213 (related to the Edwards Aquifer), then a copy of that plan must be either included in the SWP3 or made readily available upon request to authorized personnel of the TCEQ. The permittee shall maintain a copy of the approval letter for the plan in its SWP3.
6. Maintenance Requirements
- (a) All protective measures identified in the SWP3 must be maintained in effective operating condition. If, through inspections or other means, the permittee determines that BMPs are not operating effectively, then the permittee shall perform maintenance as necessary to maintain the continued effectiveness of stormwater controls, and prior to the next rain event if feasible. If maintenance prior to the next anticipated storm event is impracticable, the reason shall be documented in the SWP3 and maintenance must be scheduled and accomplished as soon as practicable. Erosion and sediment controls that have been intentionally disabled, run-over, removed, or otherwise rendered ineffective must be replaced or corrected immediately upon discovery.
 - (b) If periodic inspections or other information indicates a control has been used incorrectly, is performing inadequately, or is damaged, then the operator shall replace or modify the control as soon as practicable after making the discovery.
 - (c) Sediment must be removed from sediment traps and sedimentation ponds no later than the time that design capacity has been reduced by 50%. For perimeter

controls such as silt fences, berms, etc., the trapped sediment must be removed before it reaches 50% of the above-ground height.

- (d) If sediment escapes the site, accumulations must be removed at a frequency that minimizes off-site impacts, and prior to the next rain event, if feasible. If the permittee does not own or operate the off-site conveyance, then the permittee shall work with the owner or operator of the property to remove the sediment.

7. Inspections of Controls

- (a) Personnel provided by the permittee must inspect disturbed areas of the construction site that have not been finally stabilized, areas used for storage of materials that are exposed to precipitation, discharge locations, and structural controls for evidence of, or the potential for, pollutants entering the drainage system. Personnel conducting these inspections must be knowledgeable of this general permit, familiar with the construction site, and knowledgeable of the SWP3 for the site. Sediment and erosion control measures identified in the SWP3 must be inspected to ensure that they are operating correctly. Locations where vehicles enter or exit the site must be inspected for evidence of off-site sediment tracking. Inspections must be conducted at least once every 14 calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater.

Where sites have been finally or temporarily stabilized or where runoff is unlikely due to winter conditions (e.g. site is covered with snow, ice, or frozen ground exists), inspections must be conducted at least once every month. In arid, semi-arid, or drought-stricken areas, inspections must be conducted at least once every month and within 24 hours after the end of a storm event of 0.5 inches or greater. The SWP3 must also contain a record of the total rainfall measured, as well as the approximate beginning and ending dates of winter or drought conditions resulting in monthly frequency of inspections.

As an alternative to the above-described inspection schedule of once every 14 calendar days and within 24 hours of a storm event of 0.5 inches or greater, the SWP3 may be developed to require that these inspections will occur at least once every seven (7) calendar days. If this alternative schedule is developed, then the inspection must occur regardless of whether or not there has been a rainfall event since the previous inspection.

The inspections may occur on either schedule provided that the SWP3 reflects the current schedule and that any changes to the schedule are conducted in accordance with the following provisions: the schedule may be changed a maximum of one time each month, the schedule change must be implemented at the beginning of a calendar month, and the reason for the schedule change must be documented in the SWP3 (e.g., end of “dry” season and beginning of “wet” season).

- (b) Utility line installation, pipeline construction, and other examples of long, narrow, linear construction activities may provide inspection personnel with limited access to the areas described in Part III.F.7.(a) above. Inspection of these areas could require that vehicles compromise temporarily or even permanently stabilized areas, cause additional disturbance of soils, and increase the potential for erosion. In these circumstances, controls must be inspected at least once every 14 calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater, but representative inspections may be performed. For representative inspections, personnel must inspect controls along the construction site for 0.25 mile above and below each access point where a roadway, undisturbed right-of-way, or other similar feature intersects the construction site and allows access to the areas described in Part III.F.7.(a)

above. The conditions of the controls along each inspected 0.25 mile portion may be considered as representative of the condition of controls along that reach extending from the end of the 0.25 mile portion to either the end of the next 0.25 mile inspected portion, or to the end of the project, whichever occurs first.

As an alternative to the above-described inspection schedule of once every 14 calendar days and within 24 hours of a storm event of 0.5 inches or greater, the SWP3 may be developed to require that these inspections will occur at least once every seven (7) calendar days. If this alternative schedule is developed, the inspection must occur regardless of whether or not there has been a rainfall event since the previous inspection. The inspections may occur on either schedule provided that the SWP3 reflects the current schedule and that any changes to the schedule are conducted in accordance with the following provisions: the schedule may be changed a maximum of one time each month, the schedule change must be implemented at the beginning of a calendar month, and the reason for the schedule change must be documented in the SWP3 (e.g., end of “dry” season and beginning of “wet” season).

- (c) In the event of flooding or other uncontrollable situations which prohibit access to the inspection sites, inspections must be conducted as soon as access is practicable.
- (d) The SWP3 must be modified based on the results of inspections, as necessary, to better control pollutants in runoff. Revisions to the SWP3 must be completed within seven (7) calendar days following the inspection. If existing BMPs are modified or if additional BMPs are necessary, an implementation schedule must be described in the SWP3 and wherever possible those changes implemented before the next storm event. If implementation before the next anticipated storm event is impracticable, these changes must be implemented as soon as practicable.
- (e) A report summarizing the scope of the inspection, the date(s) of the inspection, and major observations relating to the implementation of the SWP3 must be made and retained as part of the SWP3. Major observations should include: The locations of discharges of sediment or other pollutants from the site; locations of BMPs that need to be maintained; locations of BMPs that failed to operate as designed or proved inadequate for a particular location; and locations where additional BMPs are needed.

Actions taken as a result of inspections must be described within, and retained as a part of, the SWP3. Reports must identify any incidents of non-compliance. Where a report does not identify any incidents of non-compliance, the report must contain a certification that the facility or site is in compliance with the SWP3 and this permit. The report must be signed by the person and in the manner required by 30 TAC §305.128 (relating to Signatories to Reports).

The names and qualifications of personnel making the inspections for the permittee may be documented once in the SWP3 rather than being included in each report.

- 8. The SWP3 must identify and ensure the implementation of appropriate pollution prevention measures for all eligible non-stormwater components of the discharge, as listed in Part II.A.3. of this permit.
- 9. The SWP3 must include the information required in Part III.B. of this general permit.
- 10. The SWP3 must include pollution prevention procedures that comply with Part III.G.4 of this general permit.

Section G. Erosion and Sediment Control Requirements Applicable to All Sites

Except as provided in 40 CFR §§125.30-125.32, any discharge regulated under this general permit, with the exception of sites that obtained waivers based on low rainfall erosivity, must achieve, at a minimum, the following effluent limitations representing the degree of effluent reduction attainable by application of the best practicable control technology currently available (BPT).

1. *Erosion and sediment controls.* Design, install, and maintain effective erosion controls and sediment controls to minimize the discharge of pollutants. At a minimum, such controls must be designed, installed, and maintained to:
 - (a) Control stormwater volume and velocity within the site to minimize soil erosion;
 - (b) If any stormwater flow will be channelized at the site, stormwater controls must be designed to control both peak flowrates and total stormwater volume to minimize erosion at outlets and to minimize downstream channel and streambank erosion;
 - (c) Minimize the amount of soil exposed during construction activity;
 - (d) Minimize the disturbance of steep slopes;
 - (e) Minimize sediment discharges from the site. The design, installation, and maintenance of erosion and sediment controls must address factors such as the amount, frequency, intensity and duration of precipitation, the nature of resulting stormwater runoff, and soil characteristics, including the range of soil particle sizes expected to be present on the site;
 - (f) If earth disturbance activities are located in close proximity to a surface water, provide and maintain appropriate natural buffers if feasible and as necessary, around surface waters, depending on site-specific topography, sensitivity, and proximity to water bodies. Direct stormwater to vegetated areas to increase sediment removal and maximize stormwater infiltration. If providing buffers is infeasible, the permittee shall document the reason that natural buffers are not feasible, and shall implement additional erosion and sediment controls to reduce sediment load;
 - (g) Preserve native topsoil at the site, unless infeasible; and
 - (h) Minimize soil compaction in post-construction pervious areas. In areas of the construction site where final vegetative stabilization will occur or where infiltration practices will be installed, either:
 - (1) restrict vehicle and equipment use to avoid soil compaction; or
 - (2) prior to seeding or planting areas of exposed soil that have been compacted, use techniques that condition the soils to support vegetative growth, if necessary and feasible;
 - (i) TCEQ does not consider stormwater control features (e.g., stormwater conveyance channels, storm drain inlets, sediment basins) to constitute “surface waters” for the purposes of triggering the buffer requirement in Part III.G.(f) above.
2. *Soil stabilization.* Stabilization of disturbed areas must, at a minimum, be initiated immediately whenever any clearing, grading, excavating, or other earth disturbing activities have permanently ceased on any portion of the site, or temporarily ceased on any portion of the site and will not resume for a period exceeding 14 calendar days. In the context of this requirement, “immediately” means as soon as practicable, but no later than the end of the next work day, following the day when the earth-disturbing activities have temporarily or permanently ceased. Temporary

stabilization must be completed no more than 14 calendar days after initiation of soil stabilization measures, and final stabilization must be achieved prior to termination of permit coverage. In arid, semi-arid, and drought-stricken areas where initiating vegetative stabilization measures immediately is infeasible, alternative non-vegetative stabilization measures must be employed as soon as practicable. Refer to Part III.F.2.(b) for complete erosion control and stabilization practice requirements.

3. *Dewatering*. Discharges from dewatering activities, including discharges from dewatering of trenches and excavations, are prohibited, unless managed by appropriate controls.
4. *Pollution prevention measures*. Design, install, implement, and maintain effective pollution prevention measures to minimize the discharge of pollutants. At a minimum, such measures must be designed, installed, implemented, and maintained to:
 - (a) Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. Wash waters must be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge;
 - (b) Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste, and other materials present on the site to precipitation and to stormwater; and
 - (c) Minimize the discharge of pollutants from spills and leaks, and implement chemical spill and leak prevention and response procedures.
5. *Prohibited discharges*. The following discharges are prohibited:
 - (a) Wastewater from wash out of concrete trucks, unless managed by an appropriate control (see Part V of the general permit);
 - (b) Wastewater from wash out and cleanout of stucco, paint, form release oils, curing compounds and other construction materials;
 - (c) Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance; and
 - (d) Soaps or solvents used in vehicle and equipment washing.
6. *Surface outlets*. When discharging from basins and impoundments, utilize outlet structures that withdraw water from the surface, unless infeasible.

Part IV. Stormwater Runoff from Concrete Batch Plants

Discharges of stormwater runoff from concrete batch plants at regulated construction sites may be authorized under the provisions of this general permit provided that the following requirements are met for concrete batch plant(s) authorized under this permit. If discharges of stormwater runoff from concrete batch plants are not covered under this general permit, then discharges must be authorized under an alternative general permit or individual permit. This permit does not authorize the discharge or land disposal of any wastewater from concrete batch plants at regulated construction sites. Authorization for these wastes must be obtained under an individual permit or an alternative general permit.

Section A. Benchmark Sampling Requirements

1. Operators of concrete batch plants authorized under this general permit shall sample the stormwater runoff from the concrete batch plants according to the requirements

of this section of this general permit, and must conduct evaluations on the effectiveness of the SWP3 based on the following benchmark monitoring values:

Table 1. Benchmark Parameters

Benchmark Parameter	Benchmark Value	Sampling Frequency	Sample Type
Oil and Grease	15 mg/L	1/quarter (*1) (*2)	Grab (*3)
Total Suspended Solids	100 mg/L	1/quarter (*1) (*2)	Grab (*3)
pH	6.0 – 9.0 Standard Units	1/quarter (*1) (*2)	Grab (*3)
Total Iron	1.3 mg/L	1/quarter (*1) (*2)	Grab (*3)

- (*1) When discharge occurs. Sampling is required within the first 30 minutes of discharge. If it is not practicable to take the sample, or to complete the sampling, within the first 30 minutes, sampling must be completed within the first hour of discharge. If sampling is not completed within the first 30 minutes of discharge, the reason must be documented and attached to all required reports and records of the sampling activity.
- (*2) Sampling must be conducted at least once during each of the following periods. The first sample must be collected during the first full quarter that a stormwater discharge occurs from a concrete batch plant authorized under this general permit.

January through March

April through June

July through September

October through December

For projects lasting less than one full quarter, a minimum of one sample shall be collected, provided that a stormwater discharge occurred at least once following submission of the NOI or following the date that automatic authorization was obtained under Section II.E.2., and prior to terminating coverage.

- (*3) A grab sample shall be collected from the stormwater discharge resulting from a storm event that is at least 0.1 inches of measured precipitation that occurs at least 72 hours from the previously measurable storm event. The sample shall be collected downstream of the concrete batch plant, and where the discharge exits any BMPs utilized to handle the runoff from the batch plant, prior to commingling with any other water authorized under this general permit.
2. The permittee must compare the results of sample analyses to the benchmark values above, and must include this comparison in the overall assessment of the SWP3's effectiveness. Analytical results that exceed a benchmark value are not a violation of this permit, as these values are not numeric effluent limitations. Results of analyses are indicators that modifications of the SWP3 should be assessed and may be necessary to protect water quality. The operator must investigate the cause for each exceedance and must document the results of this investigation in the SWP3 by the end of the quarter following the sampling event.

The operator's investigation must identify the following:

- (a) any additional potential sources of pollution, such as spills that might have occurred,
- (b) necessary revisions to good housekeeping measures that are part of the SWP3,
- (c) additional BMPs, including a schedule to install or implement the BMPs, and
- (d) other parts of the SWP3 that may require revisions in order to meet the goal of the benchmark values.

Background concentrations of specific pollutants may also be considered during the investigation. If the operator is able to relate the cause of the exceedance to background concentrations, then subsequent exceedances of benchmark values for that pollutant may be resolved by referencing earlier findings in the SWP3.

Background concentrations may be identified by laboratory analyses of samples of stormwater runoff to the permitted facility, by laboratory analyses of samples of stormwater runoff from adjacent non-industrial areas, or by identifying the pollutant is a naturally occurring material in soils at the site.

Section B. Best Management Practices (BMPs) and SWP3 Requirements

Minimum SWP3 Requirements – The following are required in addition to other SWP3 requirements listed in this general permit (including, but not limited to Part III.F.7. of this permit):

1. **Description of Potential Pollutant Sources** - The SWP3 must provide a description of potential sources (activities and materials) that may reasonably be expected to affect the quality of stormwater discharges associated with concrete batch plants authorized under this permit. The SWP3 must describe practices that will be used to reduce the pollutants in these discharges to assure compliance with this general permit, including the protection of water quality, and must ensure the implementation of these practices.

The following must be developed, at a minimum, in support of developing this description:

- (a) **Drainage** – The site map must include the following information:
 - (1) the location of all outfalls for stormwater discharges associated with concrete batch plants that are authorized under this permit;
 - (2) a depiction of the drainage area and the direction of flow to the outfall(s);
 - (3) structural controls used within the drainage area(s);
 - (4) the locations of the following areas associated with concrete batch plants that are exposed to precipitation: vehicle and equipment maintenance activities (including fueling, repair, and storage areas for vehicles and equipment scheduled for maintenance); areas used for the treatment, storage, or disposal of wastes; liquid storage tanks; material processing and storage areas; and loading and unloading areas; and
 - (5) the locations of the following: any bag house or other dust control device(s); recycle/sedimentation pond, clarifier or other device used for the treatment of facility wastewater (including the areas that drain to the treatment device); areas with significant materials; and areas where major spills or leaks have occurred.
- (b) **Inventory of Exposed Materials** – A list of materials handled at the concrete batch plant that may be exposed to stormwater and that have a potential to

affect the quality of stormwater discharges associated with concrete batch plants that are authorized under this general permit.

- (c) **Spills and Leaks** - A list of significant spills and leaks of toxic or hazardous pollutants that occurred in areas exposed to stormwater and that drain to stormwater outfalls associated with concrete batch plants authorized under this general permit must be developed, maintained, and updated as needed.
 - (d) **Sampling Data** - A summary of existing stormwater discharge sampling data must be maintained, if available.
2. **Measures and Controls** - The SWP3 must include a description of management controls to regulate pollutants identified in the SWP3's "Description of Potential Pollutant Sources" from Part IV.B.1.(a) of this permit, and a schedule for implementation of the measures and controls. This must include, at a minimum:
- (a) **Good Housekeeping** - Good housekeeping measures must be developed and implemented in the area(s) associated with concrete batch plants.
 - (1) Operators must prevent or minimize the discharge of spilled cement, aggregate (including sand or gravel), settled dust, or other significant materials from paved portions of the site that are exposed to stormwater. Measures used to minimize the presence of these materials may include regular sweeping or other equivalent practices. These practices must be conducted at a frequency that is determined based on consideration of the amount of industrial activity occurring in the area and frequency of precipitation, and shall occur at least once per week when cement or aggregate is being handled or otherwise processed in the area.
 - (2) Operators must prevent the exposure of fine granular solids, such as cement, to stormwater. Where practicable, these materials must be stored in enclosed silos, hoppers or buildings, in covered areas, or under covering.
 - (b) **Spill Prevention and Response Procedures** - Areas where potential spills that can contribute pollutants to stormwater runoff, and the drainage areas from these locations, must be identified in the SWP3. Where appropriate, the SWP3 must specify material handling procedures, storage requirements, and use of equipment. Procedures for cleaning up spills must be identified in the SWP3 and made available to the appropriate personnel.
 - (c) **Inspections** - Qualified facility personnel (i.e., a person or persons with knowledge of this general permit, the concrete batch plant, and the SWP3 related to the concrete batch plant(s) for the site) must be identified to inspect designated equipment and areas of the facility specified in the SWP3. The inspection frequency must be specified in the SWP3 based upon a consideration of the level of concrete production at the facility, but must be a minimum of once per month while the facility is in operation. The inspection must take place while the facility is in operation and must, at a minimum, include all areas that are exposed to stormwater at the site, including material handling areas, above ground storage tanks, hoppers or silos, dust collection/containment systems, truck wash down and equipment cleaning areas. Follow-up procedures must be used to ensure that appropriate actions are taken in response to the inspections. Records of inspections must be maintained and be made readily available for inspection upon request.
 - (d) **Employee Training** - An employee training program must be developed to educate personnel responsible for implementing any component of the SWP3, or personnel otherwise responsible for stormwater pollution prevention, with the provisions of the SWP3. The frequency of training must be documented in

- the SWP3, and at a minimum, must consist of one training prior to the initiation of operation of the concrete batch plant.
- (e) Record Keeping and Internal Reporting Procedures - A description of spills and similar incidents, plus additional information that is obtained regarding the quality and quantity of stormwater discharges, must be included in the SWP3. Inspection and maintenance activities must be documented and records of those inspection and maintenance activities must be incorporated in the SWP3.
 - (f) Management of Runoff - The SWP3 shall contain a narrative consideration for reducing the volume of runoff from concrete batch plants by diverting runoff or otherwise managing runoff, including use of infiltration, detention ponds, retention ponds, or reusing of runoff.
3. Comprehensive Compliance Evaluation – At least once per year, one or more qualified personnel (i.e., a person or persons with knowledge of this general permit, the concrete batch plant, and the SWP3 related to the concrete batch plant(s) for the site) shall conduct a compliance evaluation of the plant. The evaluation must include the following.
- (a) Visual examination of all areas draining stormwater associated with regulated concrete batch plants for evidence of, or the potential for, pollutants entering the drainage system. These include but are not limited to: cleaning areas, material handling areas, above ground storage tanks, hoppers or silos, dust collection/containment systems, and truck wash down and equipment cleaning areas. Measures implemented to reduce pollutants in runoff (including structural controls and implementation of management practices) must be evaluated to determine if they are effective and if they are implemented in accordance with the terms of this permit and with the permittee's SWP3. The operator shall conduct a visual inspection of equipment needed to implement the SWP3, such as spill response equipment.
 - (b) Based on the results of the evaluation, the following must be revised as appropriate within two weeks of the evaluation: the description of potential pollutant sources identified in the SWP3 (as required in Part IV.B.1., "Description of Potential Pollutant Sources"); and pollution prevention measures and controls identified in the SWP3 (as required in Part IV.B.2., "Measures and Controls"). The revisions may include a schedule for implementing the necessary changes.
 - (c) The permittee shall prepare and include in the SWP3 a report summarizing the scope of the evaluation, the personnel making the evaluation, the date(s) of the evaluation, major observations relating to the implementation of the SWP3, and actions taken in response to the findings of the evaluation. The report must identify any incidents of noncompliance. Where the report does not identify incidences of noncompliance, the report must contain a statement that the evaluation did not identify any incidence(s), and the report must be signed according to 30 TAC §305.128, relating to Signatories to Reports.
 - (d) The Comprehensive Compliance Evaluation may substitute for one of the required inspections delineated in Part IV.B.2.(c) of this general permit.

Section C. Prohibition of Wastewater Discharges

Wastewater discharges associated with concrete production including wastewater disposal by land application are not authorized under this general permit. These wastewater discharges must be authorized under an alternative TCEQ water quality permit or otherwise disposed of in an authorized manner. Discharges of concrete truck wash out at construction sites may be authorized if conducted in accordance with the requirements of Part V of this general permit.

Part V. Concrete Truck Wash Out Requirements

This general permit authorizes the wash out of concrete trucks at construction sites regulated under Sections II.E.1., 2., and 3. of this general permit, provided the following requirements are met. Authorization is limited to the land disposal of wash out water from concrete trucks. Any other direct discharge of concrete production waste water must be authorized under a separate TCEQ general permit or individual permit.

1. Direct discharge of concrete truck wash out water to surface water in the state, including discharge to storm sewers, is prohibited by this general permit.
2. Concrete truck wash out water shall be discharged to areas at the construction site where structural controls have been established to prevent direct discharge to surface waters, or to areas that have a minimal slope that allow infiltration and filtering of wash out water to prevent direct discharge to surface waters. Structural controls may consist of temporary berms, temporary shallow pits, temporary storage tanks with slow rate release, or other reasonable measures to prevent runoff from the construction site.
3. Wash out of concrete trucks during rainfall events shall be minimized. The direct discharge of concrete truck wash out water is prohibited at all times, and the operator shall insure that its BMPs are sufficient to prevent the discharge of concrete truck wash out as the result of rainfall or stormwater runoff.
4. The discharge of wash out water must not cause or contribute to groundwater contamination.
5. If a SWP3 is required to be implemented, the SWP3 shall include concrete wash out areas on the associated site map.

Part VI. Retention of Records

The permittee must retain the following records for a minimum period of three (3) years from the date that a NOT is submitted as required by Part II.E.3. For activities in which an NOT is not required, records shall be retained for a minimum period of three (3) years from the date that the operator terminates coverage under Section II.F.3. of this permit. Records include:

1. A copy of the SWP3;
2. All reports and actions required by this permit, including a copy of the construction site notice;
3. All data used to complete the NOI, if an NOI is required for coverage under this general permit; and
4. All records of submittal of forms submitted to the operator of any MS4 receiving the discharge and to the secondary operator of a large construction site, if applicable.

Part VII. Standard Permit Conditions

1. The permittee has a duty to comply with all permit conditions. Failure to comply with any permit condition is a violation of the permit and statutes under which it was issued, and is grounds for enforcement action, for terminating, revoking, or denying coverage under this general permit, or for requiring a discharger to apply for and obtain an individual TPDES permit.
2. Authorization under this general permit may be suspended or revoked for cause. Filing a notice of planned changes or anticipated non-compliance by the permittee does not stay any permit condition. The permittee must furnish to the executive director, upon request and within a reasonable time, any information necessary for the executive director to determine whether cause exists for revoking, suspending, or

terminating authorization under this permit. Additionally, the permittee must provide to the executive director, upon request, copies of all records that the permittee is required to maintain as a condition of this general permit.

3. It is not a defense for a discharger in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with the permit conditions.
4. Inspection and entry shall be allowed under TWC Chapters 26-28, Texas Health and Safety Code §§361.032-361.033 and 361.037, and 40 CFR §122.41(i). The statement in TWC §26.014 that commission entry of a facility shall occur according to an establishment's rules and regulations concerning safety, internal security, and fire protection is not grounds for denial or restriction of entry to any part of the facility or site, but merely describes the commission's duty to observe appropriate rules and regulations during an inspection.
5. The discharger is subject to administrative, civil, and criminal penalties, as applicable, under TWC Chapter 7 for violations including but not limited to the following:
 - (a) negligently or knowingly violating the federal CWA §§301, 302, 306, 307, 308, 318, or 405, or any condition or limitation implementing any sections in a permit issued under CWA §402, or any requirement imposed in a pretreatment program approved under CWA §§402(a)(3) or 402(b)(8);
 - (b) knowingly making any false statement, representation, or certification in any record or other document submitted or required to be maintained under a permit, including monitoring reports or reports of compliance or noncompliance; and
 - (c) knowingly violating §303 of the federal CWA, and placing another person in imminent danger of death or serious bodily injury.
6. All reports and other information requested by the executive director must be signed by the person and in the manner required by 30 TAC §305.128 (relating to Signatories to Reports).
7. Authorization under this general permit does not convey property or water rights of any sort and does not grant any exclusive privilege.
8. The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.
9. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.
10. The permittee shall comply with the reporting requirements in 40 CFR §122.41(l), as applicable.

Part VIII. Fees

1. A fee of must be submitted along with the NOI:
 - (a) \$325 if submitting a paper NOI, or
 - (b) \$225 if submitting an NOI electronically.

2. Fees are due upon submission of the NOI. An NOI will not be declared administratively complete unless the associated fee has been paid in full.
3. No separate annual fees will be assessed for this general permit. The Water Quality Annual Fee has been incorporated into the NOI fees as described above.

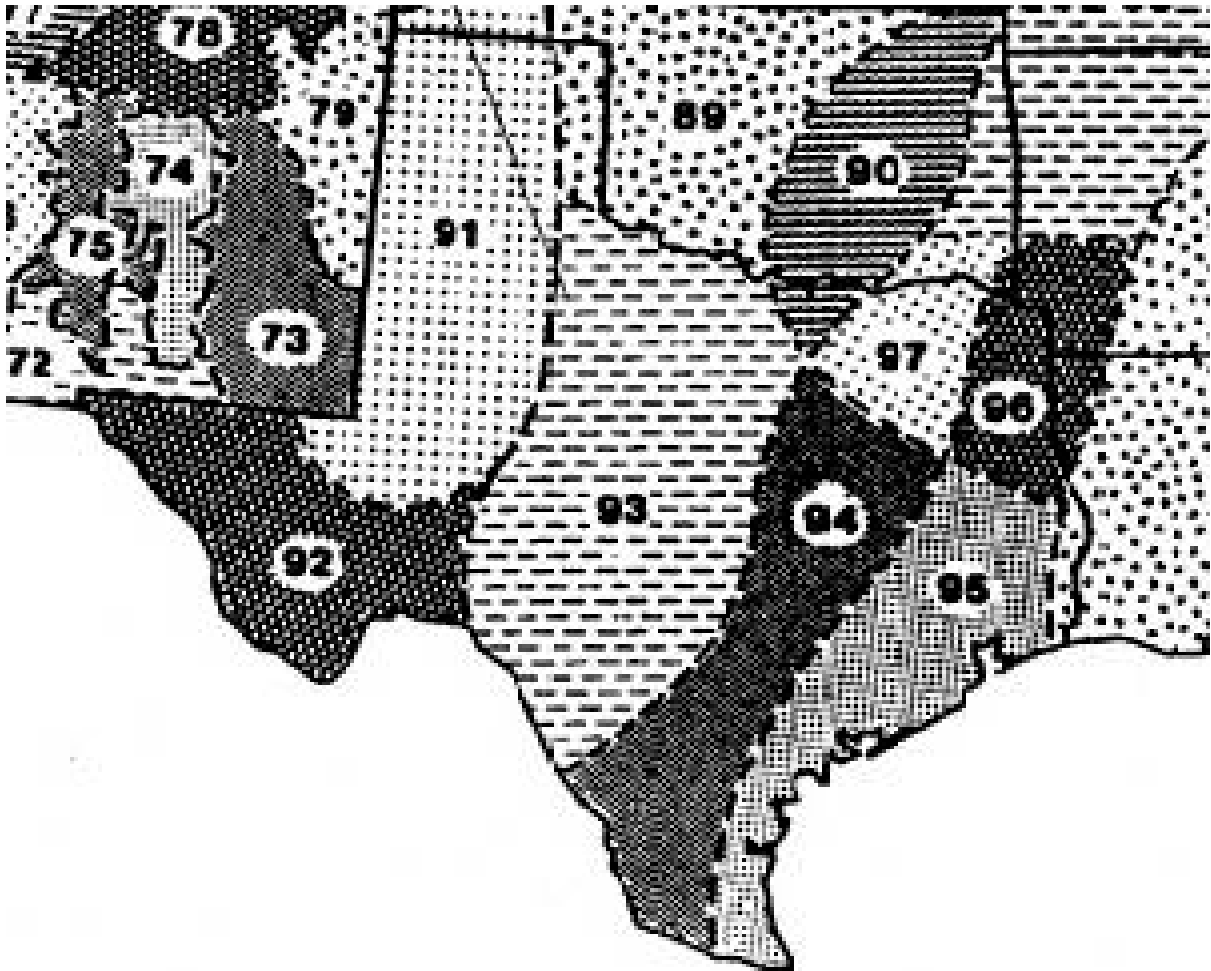
Appendix A: Automatic Authorization

Periods of Low Erosion Potential by County – Eligible Date Ranges

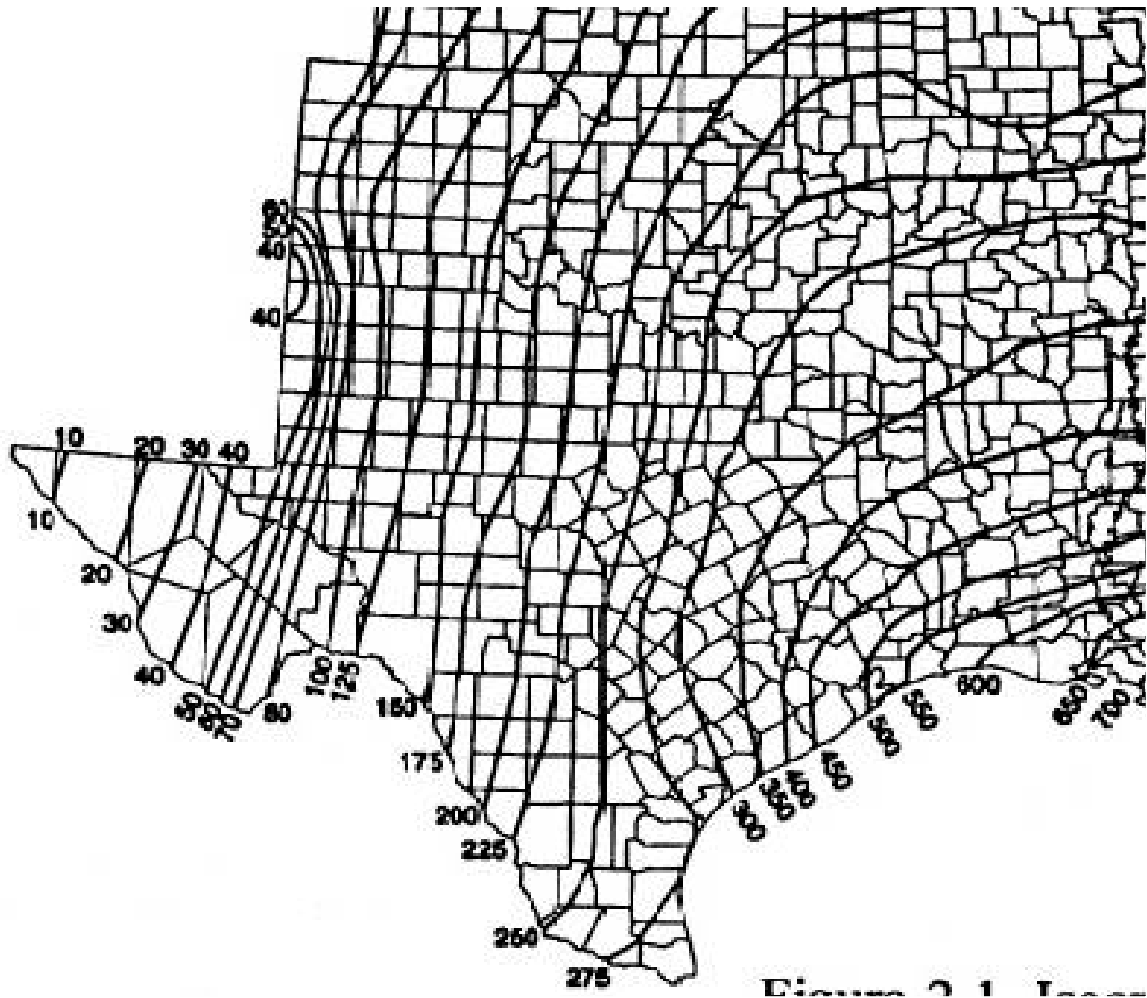
Andrews: Nov. 15 - Apr. 30	Ector: Nov. 15 - Apr. 30
Archer: Dec. 15 - Feb. 14	Edwards: Dec. 15 - Feb. 14
Armstrong: Nov. 15 - Apr. 30	El Paso: Jan. 1 - Jul. 14, or May 15 - Jul. 31, or Jun. 1 - Aug. 14, or Jun. 15 - Sept. 14, or Jul. 1 - Oct. 14, or Jul. 15 - Oct. 31, or Aug. 1 - Apr. 30, or Aug. 15 - May 14, or Sept. 1 - May 30, or Oct. 1 - Jun. 14, or Nov. 1 - Jun. 30, or Nov. 15 - Jul. 14
Bailey: Nov. 1 - Apr. 30, or Nov. 15 - May 14	Fisher: Dec. 15 - Feb. 14
Baylor: Dec. 15 - Feb. 14	Floyd: Nov. 15 - Apr. 30
Borden: Nov. 15 - Apr. 30	Foard: Dec. 15 - Feb. 14
Brewster: Nov. 15 - Apr. 30	Gaines: Nov. 15 - Apr. 30
Briscoe: Nov. 15 - Apr. 30	Garza: Nov. 15 - Apr. 30
Brown: Dec. 15 - Feb. 14	Glasscock: Nov. 15 - Apr. 30
Callahan: Dec. 15 - Feb. 14	Hale: Nov. 15 - Apr. 30
Carson: Nov. 15 - Apr. 30	Hall: Feb. 1 - Mar. 30
Castro: Nov. 15 - Apr. 30	Hansford: Nov. 15 - Apr. 30
Childress: Dec. 15 - Feb. 14	Hardeman: Dec. 15 - Feb. 14
Cochran: Nov. 1 - Apr. 30, or Nov. 15 - May 14	Hartley: Nov. 15 - Apr. 30
Coke: Dec. 15 - Feb. 14	Haskell: Dec. 15 - Feb. 14
Coleman: Dec. 15 - Feb. 14	Hockley: Nov. 1 - Apr. 14, or Nov. 15 - Apr. 30
Collingsworth: Jan. 1 - Mar. 30, or Dec. 1 - Feb. 28	Howard: Nov. 15 - Apr. 30
Concho: Dec. 15 - Feb. 14	Hudspeth: Nov. 1 - May 14
Cottle: Dec. 15 - Feb. 14	Hutchinson: Nov. 15 - Apr. 30
Crane: Nov. 15 - Apr. 30	Irion: Dec. 15 - Feb. 14
Crockett: Nov. 15 - Jan. 14, or Feb. 1 - Mar. 30	Jeff Davis: Nov. 1 - Apr. 30 or Nov. 15 - May 14
Crosby: Nov. 15 - Apr. 30	Jones: Dec. 15 - Feb. 14
Culberson: Nov. 1 - May 14	Kent: Nov. 15 - Jan. 14 or Feb. 1 - Mar. 30
Dallam: Nov. 1 - Apr. 14, or Nov. 15 - Apr. 30	Kerr: Dec. 15 - Feb. 14
Dawson: Nov. 15 - Apr. 30	Kimble: Dec. 15 - Feb. 14
Deaf Smith: Nov. 15 - Apr. 30	King: Dec. 15 - Feb. 14
Dickens: Nov. 15 - Jan. 14, or Feb. 1 - Mar. 30	Kinney: Dec. 15 - Feb. 14
Dimmit: Dec. 15 - Feb. 14	Knox: Dec. 15 - Feb. 14
Donley: Jan. 1 - Mar. 30, or Dec. 1 - Feb. 28	Lamb: Nov. 1 - Apr. 14, or Nov. 15 - Apr. 30
Eastland: Dec. 15 - Feb. 14	

Loving: Nov. 1 - Apr. 30, or Nov. 15 - May 14
Lubbock: Nov. 15 - Apr. 30
Lynn: Nov. 15 - Apr. 30
Martin: Nov. 15 - Apr. 30
Mason: Dec. 15 - Feb. 14
Maverick: Dec. 15 - Feb. 14
McCulloch: Dec. 15 - Feb. 14
Menard: Dec. 15 - Feb. 14
Midland: Nov. 15 - Apr. 30
Mitchell: Nov. 15 - Apr. 30
Moore: Nov. 15 - Apr. 30
Motley: Nov. 15 - Jan. 14, or Feb. 1 - Mar. 30
Nolan: Dec. 15 - Feb. 14
Oldham: Nov. 15 - Apr. 30
Parmer: Nov. 1 - Apr. 14, or Nov. 15 - Apr. 30
Pecos: Nov. 15 - Apr. 30
Potter: Nov. 15 - Apr. 30
Presidio: Nov. 1 - Apr. 30, or Nov. 15 - May 14
Randall: Nov. 15 - Apr. 30
Reagan: Nov. 15 - Apr. 30
Real: Dec. 15 - Feb. 14
Reeves: Nov. 1 - Apr. 30, or Nov. 15 - May 14
Runnels: Dec. 15 - Feb. 14
Schleicher: Dec. 15 - Feb. 14

Scurry: Nov. 15 - Apr. 30
Shackelford: Dec. 15 - Feb. 14
Sherman: Nov. 15 - Apr. 30
Stephens: Dec. 15 - Feb. 14
Sterling: Nov. 15 - Apr. 30
Stonewall: Dec. 15 - Feb. 14
Sutton: Dec. 15 - Feb. 14
Swisher: Nov. 15 - Apr. 30
Taylor: Dec. 15 - Feb. 14
Terrell: Nov. 15 - Apr. 30
Terry: Nov. 15 - Apr. 30
Throckmorton: Dec. 15 - Feb. 14
Tom Green: Dec. 15 - Feb. 14
Upton: Nov. 15 - Apr. 30
Uvalde: Dec. 15 - Feb. 14
Val Verde: Nov. 15 - Jan. 14, or Feb. 1 - Mar. 30
Ward: Nov. 1 - Apr. 14, or Nov. 15 - Apr. 30
Wichita: Dec. 15 - Feb. 14
Wilbarger: Dec. 15 - Feb. 14
Winkler: Nov. 1 - Apr. 30, or Nov. 15 - May 14
Yoakum: Nov. 1 - Apr. 30, or Nov. 15 - May 14
Young: Dec. 15 - Feb. 14
Wheeler: Jan. 1 - Mar. 30, or Dec. 1 - Feb. 28
Zavala: Dec. 15 - Feb. 14

Appendix B: Erosivity Index (EI) Zones in Texas

Adapted from Chapter 2 of USDA Agriculture Handbook 703: "Predicting Soil Erosion by Water: A Guide to Conservation Planning With the Revised Universal Soil Loss Equation (RUSLE)," U.S. Department of Agriculture, Agricultural Research Service

Appendix C: Isoerodent Map

Adapted from Chapter 2 of USDA Agriculture Handbook 703: "Predicting Soil Erosion by Water: A Guide to Conservation Planning With the Revised Universal Soil Loss Equation (RUSLE)," U.S. Department of Agriculture, Agricultural Research Service

Appendix D: Erosivity Indices for EI Zones in Texas**Periods:**

EI #	1/1	1/16	1/31	2/15	3/1	3/16	3/31	4/15	4/30	5/15	5/30	6/14	6/29	7/14	7/29	8/13	8/28	9/12	9/27	10/12	10/27	11/11	11/26	12/11	12/31
89	0	1	1	2	3	4	7	2	8	27	38	48	55	62	69	76	83	90	94	97	98	99	100	100	100
90	0	1	2	3	4	6	8	13	21	29	37	46	54	60	65	69	74	81	87	92	95	97	98	99	100
91	0	0	0	0	1	1	1	2	6	16	29	39	46	53	60	67	74	81	88	95	99	99	100	100	100
92	0	0	0	0	1	1	1	2	6	16	29	39	46	53	60	67	74	81	88	95	99	99	100	100	100
93	0	1	1	2	3	4	6	8	13	25	40	49	56	62	67	72	76	80	85	91	97	98	99	99	100
94	0	1	2	4	6	8	10	15	21	29	38	47	53	57	61	65	70	76	83	88	91	94	96	98	100
95	0	1	3	5	7	9	11	14	18	27	35	41	46	51	57	62	68	73	79	84	89	93	96	98	100
96	0	2	4	6	9	12	17	23	30	37	43	49	54	58	62	66	70	74	78	82	86	90	94	97	100
97	0	1	3	5	7	10	14	20	28	37	48	56	61	64	68	72	77	81	86	89	92	95	98	99	100
106	0	3	6	9	13	17	21	27	33	38	44	49	55	61	67	71	75	78	81	84	86	90	94	97	100

* Each period begins on the date listed in the table above and lasts until the day before the following period. The final period begins on December 11 and ends on December 31.

Table adapted from Chapter 2 of USDA Agriculture Handbook 703: "Predicting Soil Erosion by Water: A Guide to Conservation Planning With the Revised Universal Soil Loss Equation (RUSLE)," U.S. Department of Agriculture, Agricultural Research Service



Appendix D – NOI and Acknowledgement Letter from EPA/State



**Notice of Intent (NOI) for Storm Water
Discharges Associated with Construction
Activity under TPDES General Permit
(TXR150000)**

TCEQ Office Use Only

Permit No.: TXR15

RN:

CN:

Ref No:



**Sign up now for ePermits NOI at www6.tceq.state.tx.us/steers
Get Instant Permit Coverage and only pay a \$225 application fee.**

If filing a paper NOI you can pay the application fee on line? Go to <https://www6.tceq.state.tx.us/epay/>

IMPORTANT:

- Use the **INSTRUCTIONS** to fill out each question in this form.
- Use the attached **CUSTOMER CHECKLIST** to make certain all you filled out all required information.
- Incomplete applications **WILL** delay approval or result in **automatic Denial**.

Renewal of General Permit

Is this NOI to renew an ACTIVE permit?

Yes - What is your permit number? **Permit No. TXR15**

No - a permit number will be issued.

Application Fee if mailing a paper NOI:

You must pay the **\$325** Application Fee to TCEQ for the application to be considered complete.
Payment and NOI must be mailed to separate addresses. See instructions for correct mailing addresses.

Provide your payment information below, for us to verify payment of the application fee:

Mailed:	Check/Money Order No.:	Company Name on checking account:
EPAY:	Voucher No.:	Is the Payment Voucher copy attached? Yes

A. OPERATOR (applicant)

1. If the applicant is currently a customer with TCEQ, what is the Customer Number (CN) issued to this entity?

CN [\(Search Central Registry\)](#)

2. What is the Legal Name of the entity (applicant) applying for this permit?

(The legal name must be spelled exactly as filed with the Texas Secretary of State, County, or in the legal document forming the entity.)

3. What is the name and title of the person signing the application?

(The person must be an official meeting signatory requirements in TAC 305.43(a).)

Name: Job	Title:
-----------	--------

4. What is the Operator's (applicant) mailing address as recognized by the **US Postal Service?** ([verify at USPS.com](#))

Address:	Suite No./Bldg. No./Mail Code:	
City:	State:	ZIP Code:
Country Mailing Information (if outside USA):	Country Code:	Postal Code:

5. Phone No.: ()

Extension:

6. Fax No.: ()

E-mail Address:

7. Indicate the type of Customer:

- | | | |
|---|---|--|
| <input type="checkbox"/> Individual | <input type="checkbox"/> Sole Proprietorship-D.B.A. | <input type="checkbox"/> Limited Partnership |
| <input type="checkbox"/> Corporation | <input type="checkbox"/> Federal Government | <input type="checkbox"/> General Partnership |
| <input type="checkbox"/> State Government | <input type="checkbox"/> County Government | <input type="checkbox"/> City Government |
| <input type="checkbox"/> Other Government | <input type="checkbox"/> Other (describe): | |

8. Independent Operator: <input type="checkbox"/> Yes <input type="checkbox"/> No (If governmental entity, subsidiary, or part of a larger corporation, check "No".)			
9. Number of Employees: <input type="checkbox"/> 0-20; <input type="checkbox"/> 21-100; <input type="checkbox"/> 101-250; <input type="checkbox"/> 251-500; or <input type="checkbox"/> 501 or higher			
10. Customer Business Tax and Filing Numbers <i>(This item is not applicable to Individuals, Government, GP or Sole Proprietor.)</i> REQUIRED for Corporations and Limited Partnerships (Verify the entity's status and filing no. with TX SOS at 512/463-5555)			
State Franchise Tax ID Number:		Federal Tax ID:	
TX SOS Charter (filing) Number:		DUNS Number (if known):	
B. APPLICATION CONTACT			
If TCEQ needs additional information regarding this application, who should be contacted?			
1. Name:		Title:	Company:
2. Phone No.: ()		Extension:	
3. Fax No.:		E-mail Address:	
C. REGULATED ENTITY (RE) INFORMATION ON PROJECT OR SITE			
1. TCEQ Issued RE Reference Number (RN): RN (Search Central Registry)			
2. Name of Project or Site (the name as known by the community where this facility/project is located): (example: phase and name of subdivision or name of project that's unique to the site)			
3. Does the site have a physical address? If Yes , complete Section A for a physical address. If No , complete Section B for site location information.			
Section A: Enter the physical address for the site. (verify it with USPS.com or other delivery source)			
Street Number:		Street Name:	
City:		ZIP Code:	
Section B: Enter the site location information.			
If no physical address (Street Number & Street Name), provide a written location access description to the site: (Ex.: phase 1 of Woodland subdivision located 2 miles west from intersection of Hwy 290 & IH35 accessible on Hwy 290 South)			
City where the site is located or nearest city to site:		ZIP Code where site is located:	
4. Identify the county where the site is located:			
5. Latitude:		Longitude:	
6. What is the primary business of this entity? In your own words, briefly describe the primary business of the Regulated Entity: (Do not repeat the SIC and NAICS code)			
7. What is the mailing address for the regulated entity?			
Is the RE mailing address the same as the Operator? <input type="checkbox"/> Yes, address is the same as Operator <input type="checkbox"/> No, provide the address			
Street Number:		Street Name:	
City:	State:	ZIP Code:	
D. GENERAL CHARACTERISTICS			
1. Is the site located on Indian Country Lands? <input type="checkbox"/> No <input type="checkbox"/> Yes – If Yes, do not submit this NOI. Contact EPA, Region VI If the site is on Indian country lands, you must obtain authorization through EPA, Region VI.			
2. What is the Standard Industrial Classification (SIC) code (see instructions for common codes): (Search Osha.gov)			
Primary: <input style="width: 100px;" type="text"/>		Secondary: <input style="width: 100px;" type="text"/>	

3(a) What is the total number of acres disturbed?

3(b) Is the project site part of a larger common plan of development or sale? ☐ Yes ☐ No

If **Yes**, the total number of acres disturbed can be less than 5 acres.

If **No**, the total number of acres disturbed must be 5 or more. If the total number of acres disturbed is less than 5 then the project site does not qualify for coverage through this Notice of Intent. Coverage will be denied. See the requirements in the general permit for small construction sites.

4. Discharge Information (all information MUST be provided or the permit will be denied)

4(a) What is the name of the water body(s) to receive the storm water runoff or potential runoff from the site?

4(b) What is the segment number(s) of the classified water body(s) that the discharge or potential discharge will eventually reach?

4(c) Are any of the surface water bodies receiving discharges from the construction site on the latest EPA-approved CWA 303(d) list of impaired waters?

☐ Yes ☐ No

If Yes, provide the name of the impaired water body(s).

4(d) Is the discharge into an MS4? ☐ Yes ☐ No

If Yes, what is the name of the MS4 Operator?

Note: The general permit requires you to send a copy of the NOI to the MS4 Operator.

4(e) Is the discharge or potential discharge within the Recharge Zone, Contributing Zone, or Contributing Zone within the Transition Zone of the Edwards Aquifer?

☐ Yes ☐ No

If the answer is Yes, please note that a copy of the agency approved Plan required by the Edwards Aquifer Rule (30 TAC Chapter 213) must be included or referenced in the Storm Water Pollution Prevention Plan.

E. CERTIFICATION

Check "Yes" to the certifications below. **Failure to certify to all items will result in denial.**

- | | |
|------------------------------|---|
| <input type="checkbox"/> Yes | I certify that I have obtained a copy and understand the terms and conditions of the general permit (TXR150000) . |
| <input type="checkbox"/> Yes | I certify that the full legal name of the entity (Operator) applying for this permit has been provided and is legally authorized to do business in Texas. |
| <input type="checkbox"/> Yes | I understand that a Notice of Termination (NOT) must be submitted when this authorization is no longer needed. |
| <input type="checkbox"/> Yes | I certify that a storm water pollution prevention plan has been developed and will be implemented prior to construction, and that is compliant with any applicable local sediment and erosion control plans, as required in the general permit TXR150000. |

Operator Certification:

I,
Typed or printed name **(Required & must be legible)**

Title **(Required & legible)**

certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

I further certify that I am authorized under [30 Texas Administrative Code §305.44](#) to sign and submit this document, and can provide documentation in proof of such authorization upon request.

Signature: _____
(Use blue ink)

Date: _____

Did you complete everything? Use this checklist to be sure!

Are you ready to mail your form to TCEQ? Go to the General Information Section of the Instructions for mailing addresses.

Customer GP Notice of Intent Checklist TXR150000	
<input checked="" type="checkbox"/>	This checklist is for use by the operator to ensure a complete application. Missing information may result in denial of coverage under the permit. (See NOI Process description in the Instructions)
<input type="checkbox"/>	Application Fee of \$325.00 was mailed separately to TCEQ's Cashiers's Office (separate from the NOI) or the EPAY payment voucher is attached.
<input checked="" type="checkbox"/>	OPERATOR INFORMATION - Confirm each item is complete:
<input type="checkbox"/>	Customer Number (CN) issued by TCEQ Central Registry
<input type="checkbox"/>	Legal Name as filed to do business in Texas (Call TX SOS 512/463-5555)
<input type="checkbox"/>	Name and Title of person signing the application. This person must meet signatory requirements in 30 TAC Section 305.43
<input type="checkbox"/>	Operator Mailing Address is complete & verifiable with USPS. www.usps.com
<input type="checkbox"/>	Phone Numbers/E-mail Address
<input type="checkbox"/>	Type of Operator (Entity Type)
<input type="checkbox"/>	Independent Operator
<input type="checkbox"/>	Number of Employees
<input type="checkbox"/>	For Corporations or Limited Partnerships – Tax ID and SOS Filing numbers are REQUIRED
	Application Contact person we can call for questions about this application.
<input checked="" type="checkbox"/>	REGULATED ENTITY (RE) INFORMATION ON PROJECT OR SITE - Confirm each item is complete:
<input type="checkbox"/>	Regulated Entity Reference Number (RN) (if site is already regulated by TCEQ)
<input type="checkbox"/>	Site/Project Name/Regulated Entity
<input type="checkbox"/>	Site/Project (RE) Physical Address Please do not use a rural route or post office box for a site location
<input type="checkbox"/>	Or if no physical address, the location information that includes description, zip code and city is listed.
<input type="checkbox"/>	Latitude and Longitude TCEQ USGS Topographic Map Viewer or http://www.terraser.com/
<input type="checkbox"/>	Business description
<input type="checkbox"/>	Site Mailing Address (checked same as operator or complete & verifiable with USPS. www.usps.com)
<input checked="" type="checkbox"/>	GENERAL CHARACTERISTICS - Confirm each item is complete:
<input type="checkbox"/>	Indian Country Lands –the facility is not on Indian Country Lands
<input type="checkbox"/>	Standard Industrial Classification (SIC) code www.osha.gov/oshstats/sicser.html
<input type="checkbox"/>	Acres Disturbed is provided and qualifies for coverage through a NOI.
<input type="checkbox"/>	Common plan of development or for sale?
<input type="checkbox"/>	Discharge Information:
<input type="checkbox"/>	receiving water body
<input type="checkbox"/>	segment number(s) is REQUIRED
<input type="checkbox"/>	water body on the latest EPA-Approved Clean Water Act 303(d) list of impaired waters
<input type="checkbox"/>	MS4 Operator
<input type="checkbox"/>	Edwards Aquifer Rule
<input type="checkbox"/>	CERTIFICATION Certification statements have been checked indicating “Yes” Signature meets 30 Texas Administrative Code (TAC) §305.44 and is original and has been provided for the Operator.

Notice of Intent (NOI) for Storm Water Discharges Associated with Construction Activity under TPDES General Permit (TXR150000)

General Information and Instructions

GENERAL INFORMATION

Where to Send the Notice of Intent (NOI) and other related forms:

BY REGULAR U.S. MAIL

Texas Commission on Environmental Quality
Storm Water Processing Center (MC228)
P.O. Box 13087
Austin, TX 78711-3087

BY OVERNIGHT/EXPRESS MAIL

Texas Commission on Environmental Quality
Storm Water Processing Center (MC228)
12100 Park 35 Circle
Austin, TX 78753

TCEQ Contact list:

Application Processing Questions relating to the status and form requirements:	512/239-3700, 512/245-0130 or swpermit@tceq.state.tx.us
Technical Questions relating to the general permit:	512/239-4671 or swgp@tceq.state.tx.us
Environmental Law Division:	512/239-0600
Records Management for obtaining copies of forms submitted to TCEQ:	512/239-0900
Information Services for obtaining reports from program data bases (as available):	512/239-DATA (3282)
Financial Administration's Cashier's office:	512/239-0357 or 512/239-0187

Notice of Intent Process:

When your NOI is received by the program, the form will be processed as follows:

1. **Administrative Review:** Each item on the form will be reviewed for a complete response. In addition, the operator's legal name must be verified with Texas Secretary of State as valid and active (if applicable). The address(s) on the form must be verified with the US Postal service as an address receiving regular mail delivery. Never give an overnight/express mailing address.

2. **Notice of Deficiency:** If an item is incomplete or not verifiable as indicated above, a notice of deficiency (NOD) will be mailed to the operator. The operator will have 30 days to respond to the NOD. The response will be reviewed for completeness.

3. **Acknowledgment of Coverage:** An Acknowledgment Certificate will be mailed to the operator. This certificate acknowledges coverage under the general permit.

-or-

Denial of Coverage: If the application is too incomplete to process, or the operator fails to respond to the NOD or the response is inadequate, coverage under the general permit may be denied. If coverage is denied, the operator will be notified.

General Permit (Your Permit)

If filing the NOI through ePermits online application, coverage under the general permit begins the day the NOI is submitted to TCEQ through epermits. **Sign up now for on line NOI at <https://www6.tceq.state.tx.us/steers/>**

If mailing a paper NOI, coverage under the general permit begins **seven (7) days after a completed NOI is postmarked for delivery to the TCEQ**. You should have a copy of your general permit when submitting your application.

You may view and print your permit for which you are seeking coverage, on the TCEQ web site

http://www.tceq.state.tx.us/permitting/water_quality/stormwater/TXR15_AIR.html.

General Permit Forms

The Notice of Intent (NOI), [Notice of Termination](#) (NOT), and [Notice of Change](#) (NOC) #20391 with instructions are available in Adobe Acrobat PDF format on the TCEQ web site http://www.tceq.state.tx.us/permitting/water_quality/stormwater/TXR15_AIR.html.

Sign up now for on line Notice of Termination application at <https://www6.tceq.state.tx.us/steers/>

Change in Operator

An authorization under the general permit is not transferable. If the operator or owner of the regulated entity changes, the present permittee must submit a Notice of Termination and the new operator must submit a Notice of Intent. The NOT and NOI must be submitted not later than 10 days prior to the change in Operator status.

TCEQ Central Registry Core Data Form

The Core Data Form has been incorporated into this form. **Do not send a core data form to TCEQ.**

After final acknowledgment of coverage under the general permit, the program will assign a Customer Number (CN) and Regulated Entity Number (RN). For Construction Permits, a new RN will be assigned for each Notice of Intent filed with TCEQ, since construction project sites can overlap with other Customers. The RN assigned to your construction project will not be assigned to any other TCEQ authorization.

You can find the information on the Central Registry web site at www12.tceq.state.tx.us/crpub/. You can search by the Regulated Entity (RN), Customer Number (CN) or Name (Permittee), or by your permit number under the search field labeled "Additional ID". Capitalize all letters in the permit number.

The Customer (Permittee) is responsible for providing consistent information to the TCEQ, and for updating all CN and RN data for all authorizations as changes occur. For General Permits, a Notice of Change form must be submitted to the program area.

Application Fees:

\$225.00 application fee if submitting the NOI through ePermits.

\$325.00 application fee if submitting a paper NOI for processing.

The application fee is required to be paid at the time the NOI is submitted. Failure to submit payment at the time the application is filed will cause delays in acknowledgment or denial of coverage under the general permit.

- **Mailed Payments:**

DO NOT mail your check with the original Notice of Intent application.

Use the attached Application Fee payment submittal form if mailing the payment. Do not include a copy of the NOI.

BY REGULAR U.S. MAIL

Texas Commission on Environmental Quality
Financial Administration Division
Cashier's Office, MC-214 Cashier
P.O. Box 13088
Austin, TX 78711-3088

BY OVERNIGHT/EXPRESS MAIL

Texas Commission on Environmental Quality
Financial Administration Division
's Office, MC-214
12100 Park 35 Circle
Austin, TX 78753

- **ePAY Electronic Payment:**

Go to <https://www6.tceq.state.tx.us/epay/>

Select Water Quality, then select the fee category "GENERAL PERMIT CONSTRUCTION STORM WATER DISCHARGE NOI APPLICATION".

You must include a copy of the payment voucher with your NOI. Your NOI will not be considered complete without the payment voucher.

The Annual Water Quality Fee has been consolidated into the Application Fee effective March 5, 2008. An annual fee will not be assessed and billed to operators on 9/1/2008. This does not relieve the operator of fees due for prior fiscal year assessments.

The operator will continue to receive an invoice for payment of any past due annual fee. A 5% penalty will be assessed if the payment is received by TCEQ after the due date. Annual fee assessments cannot be waived as long as the authorization under the general permit was active on September 1 of the FY billed.

INSTRUCTIONS FOR FILLING OUT THE NOI FORM

A. OPERATOR (As defined in the general permit.)

1. TCEQ Issued [Customer Number](#) (CN)

TCEQ's Central Registry will assign each customer a number that begins with "CN," followed by nine digits. **This is not a permit number**, registration number, or license number.

- If this customer has not been assigned a Customer Reference Number, leave the space for the Customer Reference Number blank.
- If this customer has already been assigned this number, enter the operator's Customer Reference Number in the space provided.

2. Legal Name

Provide the legal name of the facility operator, as authorized to do business in Texas. The name must be provided exactly as filed with the Texas Secretary of State (SOS), or on other legal documents forming the entity, that is filed in the county where doing business. You may contact the SOS at 512/463-5555, or go to <http://www.sos.state.tx.us/corp/contact.shtml> for more information related to filing in Texas. If filed in the county where doing business, provide a copy of the legal documents showing the legal name.

3. Name and Title of person signing the Notice of Intent application form. Signature meets [30 Texas Administrative Code \(TAC\) §305.44](#)

4. Operator Mailing Address

Provide a complete mailing address for receiving mail from the TCEQ. The address must be verifiable with the US Postal Service at www.usps.com, for regular mail delivery (not overnight express mail). If you find that the address is not verifiable using the USPS web search, please indicate the address is used by the USPS for regular mail delivery.

5. Phone Number

This number should correspond to this customer's mailing address given earlier. Enter the area code and phone number here. Leave "Extension" blank if this customer's phone system lacks this feature.

6. Fax Number and E-mail Address

This number and E-mail address should correspond to operator's mailing address provided earlier. (Optional Information)

7. Type of Entity

Check only one box that identifies the type of entity. Use the descriptions below to identify the appropriate entity type:

Individual is a customer who has not established a business, but conducts an activity that needs to be regulated by the TCEQ.

Sole Proprietorship— D.B.A. is a customer that is owned by only one person and has not been incorporated. This business may:

- be under the person's name
- have its own name ("doing business as," or d.b.a.)
- have any number of employees

Partnership is a customer that is established as a partnership as defined by the Texas Secretary of State's Office.

Corporation the customer meets all of these conditions:

- is a legally incorporated entity under the laws of any state or country
- is recognized as a corporation by the Texas Secretary of State
- has proper operating authority to operate in Texas.

Government- Federal, state, county, or city government (as appropriate)

the customer is either an agency of one of these levels of government or the governmental body itself.

Other is Estate, Trust, etc.

the customer does not fit one of the above descriptions. Enter a short description of the type of customer in the blank provided.

8. Independent Operator

Check "No" if this customer is a subsidiary, part of a larger company, or is a governmental entity. Otherwise, check "Yes."

9. Number of Employees

Check one box to show the number of employees for this customer's entire company, at all locations. This is not necessarily the number of employees at the site named in the NOI.

10. State Franchise Tax ID Number

Corporations and limited liability companies that operate in Texas are issued a franchise tax identification number. If this customer is a corporation or limited liability company, enter this number here.

Federal Tax ID

All businesses, except for some small sole proprietors, individuals, or general partnerships should have a federal taxpayer identification number (TIN). Enter this number here. Use no prefixes, dashes, or hyphens. Sole proprietors, individuals, or general partnerships do not need to provide a federal tax ID.

TX SOS Charter (filing) Number

Corporations and Limited Partnerships required to register with the Texas Secretary of State are issued a charter or filing number. You may obtain further information by calling SOS at 512/463-5555 <http://www.sos.state.tx.us/corp/contact.shtml>.

<p>DUNS Number Most businesses have a DUNS (Data Universal Numbering System) number issued by Dun and Bradstreet Corp. If this customer has one, enter it here.</p>
<p>B. Application Contact Provide the name, title and communication information of the person that TCEQ can contact for additional information regarding this application. If the application is missing information and there is no contact person to call, the application may be denied.</p>
<p>C. REGULATED ENTITY (RE) INFORMATION ON PROJECT OR SITE</p>
<p>1. <u>Regulated Entity Reference Number</u> (RN) This is a number issued by TCEQ's Central Registry to sites (a location where a regulated activity occurs) regulated by TCEQ. This is not a permit number, registration number, or license number. <ul style="list-style-type: none"> • If this Regulated Entity has not been assigned a Regulated Entity Number, leave this space blank. • If this customer has been assigned this number, enter the operator's Regulated Entity Number. </p>
<p>2. Site/Project Name/Regulated Entity If the site is already regulated by TCEQ, use the same name as on the existing <u>Regulated Entity Reference Number</u> (RN). If new, provide the name of the site as known by the public in the area where the site is located. The name you provide on this application will be used in the TCEQ Central Registry as the Regulated Entity.</p>
<p>3. Site/Project (RE) Physical Address Section A: Enter the complete physical address of where the site is located. This must be a street number and street name for a complete physical address. This address must be validated through US Postal Service or your local police (911 service) as a valid address. Please confirm this to be a complete and valid address. In some rural areas, new addresses are being assigned to replace rural route addresses. Please do not use a rural route or post office box for a site location. Section B: If a site does not have an actual physical address that includes a street number and street name, then provide a complete written location access description, and the zip code and city where the site is located. For example: "The site is located 2 miles west from intersection of Hwy 290 & IH35, located on the southwest corner of the Hwy 290 South bound lane." This includes authorizations for construction projects such as highways and subdivision.</p>
<p>4. Identify the County where the site is located. If the site covers more than one county, provide the county that is most affected by the authorized activity and list the additional county(s) as secondary.</p>
<p>5. Latitude and Longitude Enter the latitude and longitude of the site in either degrees, minutes, and seconds or decimal form. For help obtaining the latitude and longitude, go to: TCEQ USGS Topographic Map Viewer or http://www.terraserver.com/</p>
<p>6. Description of Activity Regulated In your own words, briefly describe the primary business being conducted at the site. (A description specific to what you are doing that requires this authorization - Do not repeat the SIC Code(s).)</p>
<p>SITE MAILING ADDRESS Provide a complete mailing address to be used by TCEQ for receiving mail at the site. In most cases, the address is the same as the operator. If so, simply place a check mark in the box. If you provide a different address, please verify the address with USPS as instructed above for the operator address.</p>
<p>D. GENERAL CHARACTERISTICS</p>
<p>1. Indian Country Lands If your site is located on Indian Country Lands, the TCEQ does not have authority to process your application. You must obtain authorization through EPA, Region VI, Dallas. Do not submit this form to TCEQ. Indian Country means (1) all land within the limits of any American Indian reservation under the jurisdiction of the U.S. government, notwithstanding the issuance of any patent, and including rights-of-way running throughout the reservation; (2) all dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or outside the limits of a State; and (3) all Indian allotments, the Indian titles which have not been extinguished, including rights-of-way running through the same. Indian Tribe means any Indian Tribe, band, nation, or community recognized by the Secretary of the Interior and exercising substantial governmental duties and powers.</p>
<p>2. Standard Industrial Classification (SIC) code Provide the SIC code that best describes the construction activity being conducted at the site. Common SIC Codes related to construction activities include: 1521 Construction of Single Family Homes; 1522 Construction of Residential Bldgs. Other than Single Family Homes; 1541 Construction of Industrial Bldgs. and Warehouses; 1542 Construction of Non-residential Bldgs. other than Industrial Bldgs. and Warehouses; 1611 Highway & Street Construction, except Highway Construction; 1622 Bridge, Tunnel, & Elevated Highway Construction; 1623 Water, Sewer, Pipeline & Communications, and Power Line Construction. For help with SIC codes, go to: www.osha.gov/oshstats/sicser.html</p>

3. Estimated Area of Land Disturbed

- 3(a). Provide the approximate number of acres that the construction site will disturb.
3(b). Indicate if the site is part of a common plan of development or for sale.

Construction activities that disturb less than one acre, unless they are part of a larger common plan that disturbs more than one acre, do not require permit coverage.

Construction activities that disturb between one and five acres, unless they are part of a common plan that disturbs five acres or more acres, do not require submission of an NOI. Therefore, the estimated area of land disturbed should not be less than five, unless the project is part of a larger common plan that disturbs five or more acres.

"Disturb" means any clearing, grading, excavating, or other similar activities. If you have any questions about this item, please call the storm water technical staff at (512)239-4671.

4. Discharge Information

4 (a). The storm water may be discharged directly to a receiving stream or through a **MS4*** from your site. It eventually reaches a receiving water body such as a local stream or lake, possibly via a drainage ditch. You must provide the name of the water body that receives the discharge from the site (a local stream or lake).

4 (b). The classified segment number(s) is REQUIRED to get coverage. Go to the link to find the segment number of the classified water body where storm water will flow <http://www.tceq.state.tx.us/compliance/monitoring/water/quality/data/wqm/viewer/viewer.html>. Call Water Quality Assessments at 512/239-4671 for further assistance. Another source for segments is: http://www.tceq.state.tx.us/comm_exec/forms_pubs/pubs/gi-316/index.html

4 (c). If any surface water body(s) receiving discharges from the construction site are on the latest EPA-approved CWA § 303(d) list of impaired waters, provide the name(s) of the water body(s).

EPA approved CWA 303d list of impaired waters can be found at: [Texas Water Quality Inventory and 303\(d\) List - Texas Commission on Environmental Quality - www.tceq.state.tx.us](http://www.tceq.state.tx.us/comm_exec/forms_pubs/pubs/gi-316/index.html)

4 (d). Identify the **MS4*** Operator name if the storm water discharge is into an MS4.

***MS4 is an acronym for Municipal separate storm sewer system. MS4 is defined as** a separate storm sewer system owned or operated by a state, city, town, county, district, association, or other public body (created by or pursuant to state law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under state law such as a sewer district, flood control or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, that discharges to water in the state.

For assistance, you may call the technical staff of the Water Quality Assessment & Standards Section at 512/239-4671.

4 (e). Edwards Aquifer Rule

See maps on the TCEQ website to determine if the site is located within the Recharge Zone, Contributing Zone, or Contributing Zone within the Transition Zone of the Edwards Aquifer at http://www.tceq.state.tx.us/compliance/field_ops/eapp/viewer.html.

If the discharge or potential discharge is within the Recharge Zone, Contributing Zone, or Contributing Zone within the Transition Zone of the Edwards Aquifer, a site specific authorization approved by the Executive Director under the Edwards Aquifer Protection Program (30 TAC Chapter 213) is required before construction can begin.

The general permit requires the approved Contributing Zone Plan or Water Pollution Abatement Plan to be included as a part of the Storm Water Pollution Prevention Plan. The certification must be answered "Yes" for coverage under the general permit.

E. CERTIFICATIONS

Failure to indicate "Yes" to ALL of the certification items may result in denial of coverage under the general permit.

The certification must bear an original signature of a person meeting the signatory requirements specified under [30 Texas Administrative Code §305.44](#)

IF YOU ARE A CORPORATION:

The regulation that controls who may sign an NOI or similar form is 30 Texas Administrative Code §305.44(a)(1) (see below). According to this code provision, any corporate representative may sign an NOI or similar form so long as the authority to sign such a document has been delegated to that person in accordance with corporate procedures. By signing the NOI or similar form, you are certifying that such authority has been delegated to you. The TCEQ may request documentation evidencing such authority.

IF YOU ARE A MUNICIPALITY OR OTHER GOVERNMENT ENTITY:

The regulation that controls who may sign an NOI or similar form is 30 Texas Administrative Code §305.44(a)(3) (see below). According to this code provision, only a ranking elected official or principal executive officer may sign an NOI or similar form. Persons such as the City Mayor or County Commissioner will be considered ranking elected officials. In order to identify the principal executive officer of your government entity, it may be beneficial to consult your city charter, county or city ordinances, or the Texas statute(s) under which your government entity was formed. An NOI or

similar document that is signed by a government official who is not a ranking elected official or principal executive officer does not conform to §305.44(a)(3). The signatory requirement may not be delegated to a government representative other than those identified in the regulation. By signing the NOI or similar form, you are certifying that you are either a ranking elected official or principal executive officer as required by the administrative code. Documentation demonstrating your position as a ranking elected official or principal executive officer may be requested by the TCEQ.

If you have any questions or need additional information concerning the signatory requirements discussed above, please contact the Texas Commission on Environmental Quality's Environmental Law Division at 512/239-0600.

30 Texas Administrative Code

§305.44. Signatories to Applications.

(a) All applications shall be signed as follows.

(1) For a corporation, the application shall be signed by a responsible corporate officer. For purposes of this paragraph, a responsible corporate officer means a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures. Corporate procedures governing authority to sign permit or post-closure order applications may provide for assignment or delegation to applicable corporate positions rather than to specific individuals.

(2) For a partnership or sole proprietorship, the application shall be signed by a general partner or the proprietor, respectively.

(3) For a municipality, state, federal, or other public agency, the application shall be signed by either a principal executive officer or a ranking elected official. For purposes of this paragraph, a principal executive officer of a federal agency includes the chief executive officer of the agency, or a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., regional administrator of the EPA).

Texas Commission on Environmental Quality
General Permit Payment Submittal Form
\$325 for a paper Construction NOI Application Fee

Use this form to submit your Application Fee only if you are mailing your payment.

- Complete items 1 through 5 below:
- Staple your check in the space provided at the bottom of this document.
- Do not mail this form with your NOI form.
- Do not mail this form to the same address as your NOI.

Mail this form and your check to:

BY REGULAR U.S. MAIL

Texas Commission on Environmental Quality
Financial Administration Division
Cashier's Office, MC-214
P.O. Box 13088
Austin, TX 78711-3088

BY OVERNIGHT/EXPRESS MAIL

Texas Commission on Environmental Quality
Financial Administration Division
Cashier's Office, MC-214
12100 Park 35 Circle
Austin, TX 78753

Fee Code: **GPA** General

Permit: TXR150000

1. Check / Money Order No:

2. Amount of Check/Money Order:

3. Date of Check or Money Order:

4. Name on Check or Money Order:

5. NOI INFORMATION

If the check is for more than one NOI, list each Project/Site (RE) Name and Physical Address exactly as provided on the NOI. **DO NOT SUBMIT A COPY OF THE NOI WITH THIS FORM AS IT COULD CAUSE DUPLICATE PERMIT ENTRIES.**

See Attached List of Sites (If more space is needed, you may attach a list.)

Project/Site (RE) Name:

Project/Site (RE) Physical Address:

Staple Check In This Space



Appendix E – Inspection Reports

Project Name: [Lady Bird Johnson Wildflower Center](#)

SWPPP Contact: [SpawGlass](#)

BEST MANAGEMENT PRACTICE INSPECTION AND MAINTENANCE REPORT FORM

SILT FENCE

Name of Inspector: _____

Inspection Date: _____

Days Since Last Rainfall: _____

Amount of Last Rainfall: _____ inches

Where is the Silt Fence Located?	Is the Bottom of the Fabric Still Buried?	Is the Fabric Torn or Sagging?	Are the Posts Tipping Over?	How Deep is the Sediment?

MAINTENANCE REQUIRED FOR SILT FENCE: _____

TO BE PERFORMED BY: _____

ON OR BEFORE: _____



Project Name: Lady Bird Johnson Wildflower Center

SWPPP Contact: SpawGlass

**BEST MANAGEMENT PRACTICE
INSPECTION AND MAINTENANCE REPORT FORM**

INLET PROTECTION BARRIERS

Name of Inspector: _____

Inspection Date: _____

Days Since Last Rainfall: _____

Amount of Last Rainfall: ____ inches

Location	In Place?	Depth of Sediment	Condition of Inlet

MAINTENANCE REQUIRED FOR INLET PROTECTION BARRIERS: _____

TO BE PERFORMED BY: _____

ON OR BEFORE: _____



Project Name: Lady Bird Johnson Wildflower Center

SWPPP Contact: SpawGlass

**BEST MANAGEMENT PRACTICE
INSPECTION AND MAINTENANCE REPORT FORM**

STABILIZED CONSTRUCTION ENTRANCE

Name of Inspector: _____

Inspection Date: _____

Days Since Last Rainfall: _____

Amount of Last Rainfall: ____ inches

Location	Is Sediment Being Tracked onto Road?	Is the Entry Surface Clean or Sediment Filled?	Does All Traffic Use the Entrance?

MAINTENANCE REQUIRED FOR STABILIZED CONSTRUCTION ENTRANCES: _____

TO BE PERFORMED BY: _____

ON OR BEFORE: _____



Project Name: Lady Bird Johnson Wildflower Center

SWPPP Contact: SpawGlass

**BEST MANAGEMENT PRACTICE
INSPECTION AND MAINTENANCE REPORT FORM**
(Completed weekly or as soon as possible after a significant storm event)

Name of Inspector: _____

Inspection Date: _____

Days Since Last Rainfall: _____

Amount of Last Rainfall: _____

STABILIZATION MEASURES					
Area or Drainage Areas*	Date Since Last Disturbance	Date of Next Disturbance	Stabilized (Yes or No)	Control Measures Implemented	Current Conditions of Control Measures

* See site map for drainage areas. Site may include borrow sources, haul roads, contractor's yard, stockpiles, etc.

** Areas that will be exposed more than 21 days must be stabilized within 14 days

STABILIZATION REQUIRED: _____

TO BE PERFORMED BY: _____ **ON OR BEFORE:** _____

Control Measure Codes		Condition Codes
1. Temporary Seeding	14. Rock Bed at Construction Exit	U – Upgrade Needed
2. Permanent Plant, Sod, or Seed	15. Timber Mat at Construction Entrance	R – Replacement Needed
3. Mulch	16. Channel Liner	M – Maintenance Needed
4. Soil Retention Blanket	17. Sediment Trap	C – Cleaning Needed
5. Buffer Zone	18. Sediment Basin	I – Increase Measures
6. Preserve Natural Resources	19. Storm Inlet Sediment Trap	S – Stable (no action required)
7. Silt Fence	20. Stone Outlet Structure	
8. Hay Bales	21. Curb and Gutter	
9. Rock Berm	22. Storm Sewers	
10. Diversion Dike	23. Velocity Control Devices	
11. Diversion Swale	24. Excess Dirt Removed From Road	
12. Pipe Slope Drain	25. Haul Roads Dampened for Dust	
13. Paved Flume	26. Cleanup of Possible Contaminants	



Project Name: Lady Bird Johnson Wildflower Center

SWPPP Contact: SpawGlass

**BEST MANAGEMENT PRACTICE
INSPECTION AND MAINTENANCE REPORT FORM**

CONSTRUCTION ACTIVITIES LOG

Name of Inspector	Date	Major Grading Activities	Temporary Suspension of Construction Activities	Permanent Suspension of Construction Activities	Initiation of Stabilization Measures	Comments

Date	Additional Changes



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Appendix F – Corrective Action Log

Project Name: [Lady Bird Johnson Wildflower Center](#)

SWPPP Contact: [SpawGlass](#)

Inspection Date	Inspector Name(s)	Description of BMP Deficiency	Corrective Action Needed (including planned date/responsible person)	Date Action Taken/Responsible person



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Appendix G – SWPPP Amendment Log

Project Name: Lady Bird Johnson Wildflower Center

SWPPP Contact: SpawGlass

Amendment No.	Description of the Amendment	Date of Amendment	Amendment Prepared by [Name(s) and Title]



Appendix H – Subcontractor Certifications/Agreements

SUBCONTRACTOR CERTIFICATION STORMWATER POLLUTION PREVENTION PLAN

Project Number: _____

Project Title: _____

Operator(s): _____

As a subcontractor, you are required to comply with the Stormwater Pollution Prevention Plan (SWPPP) for any work that you perform on-site. Any person or group who violates any condition of the SWPPP may be subject to substantial penalties or loss of contract. You are encouraged to advise each of your employees working on this project of the requirements of the SWPPP. A copy of the SWPPP is available for your review at the office trailer.

Each subcontractor engaged in activities at the construction site that could impact stormwater must be identified and sign the following certification statement:

I certify under the penalty of law that I have read and understand the terms and conditions of the SWPPP for the above designated project and agree to follow the BMPs and practices described in the SWPPP.

This certification is hereby signed in reference to the above named project:

Company: _____

Address: _____

Telephone Number: _____

Type of construction service to be provided: _____

Signature: _____

Title: _____

Date: _____



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Appendix I – Grading and Stabilization Activities Log

Project Name: [Lady Bird Johnson Wildflower Center](#)

SWPPP Contact: [SpawGlass](#)

Date Grading Activity Initiated	Description of Grading Activity	Date Grading Activity Ceased (Indicate Temporary or Permanent)	Date When Stabilization Measures are Initiated	Description of Stabilization Measure and Location



Appendix J – SWPPP Training Log

Stormwater Pollution Prevention Training Log

Project Name: _____

Project Location: _____

Instructor's Name(s): _____

Instructor's Title(s): _____

Course Location: _____ Date: _____

Course Length (hours): _____

Stormwater Training Topic: *(check as appropriate)*

- ☐ Erosion Control BMPs ☐ Emergency Procedures
☐ Sediment Control BMPs ☐ Good Housekeeping BMPs
☐ Non-Stormwater BMPs

Specific Training Objective: _____

Attendee Roster: *(attach additional pages as necessary)*

No.	Name of Attendee	Company
1		
2		
3		
4		
5		
6		
7		
8		



Appendix K – Delegation of Authority Form

Delegation of Authority

I, _____ (name), hereby designate the person or specifically described position below to be a duly authorized representative for the purpose of overseeing compliance with environmental requirements, including the Construction General Permit, at the _____ construction site. The designee is authorized to sign any reports, stormwater pollution prevention plans and all other documents required by the permit.

(name of person or position)
(company)
(address)
(city, state, zip)
(phone)

By signing this authorization, I confirm that I meet the requirements to make such a designation as set forth in _____ (Reference State Permit), and that the designee above meets the definition of a “duly authorized representative” as set forth in _____ (Reference State Permit).

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name: _____

Company: _____

Title: _____

Signature: _____

Date: _____