CITY OF CENTER, TEXAS

EAST BANK WWTP
STORMWATER POLLUTION PREVENTION PLAN (SWP3)

JULY, 2015

Prepared By:

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TPDES Multi-Sector General Permit (TXR050000)
Certification Signature Page

The Stormwater Pollution Prevention Plan (SWP3), which is required to be developed under the MSGP permit (TXR050000), must be signed according to 30 Texas Administrative Code §305.128 relating to Signatories to Reports. An authorized agent of the entity submitting the Notice of Intent for permit coverage must sign and date the SWP3 and maintain the signature within the plan.

"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 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 fines and imprisonment for knowing violations."

Signature	Title	Date
[signature]	City Mgr.	8/6/15

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PART 1
GENERAL INFORMATION

CITY OF CENTER EAST BANK WASTEWATER TREATMENT PLANT
STORMWATER POLLUTION PREVENTION PLAN

MONITORING AND SAMPLING FREQUENCY	
Periodic Inspections and Quarterly Visual Monitoring	First quarter—January through March
	Second quarter—April through June
	Third quarter—July through September
	Fourth quarter—October through December
Benchmark Monitoring	First period—January through June
	Second period—July through December
Numeric Effluent Limits	Samples required annually should be collected before Dec. 31 of each year. Begin monitoring during the first full monitoring period after submitting your NOI.
Rain Gauge Monitoring	Maintain a rain gauge on-site or utilize a rain gauge in the immediate vicinity of the site to determine when a qualifying rain event occurs. A representative storm event is precipitation that: • is measurable, • causes runoff at the outfall, and • occurs at least 72 hours (3 days) after the previous storm event. At a minimum, the rain gauge must be monitored: • once per week, and • once per day during a storm event

All sampling is to occur within the first 30 minutes of discharge, and these activities must be conducted by qualified personnel.

Periodic inspections must be conducted by qualified personnel once per quarter unless otherwise stated in Part V of the permit. Periodic inspections serve to determine the effectiveness of the BMPs being used, and the results must be documented in your SWP3.

Quarterly visual monitoring is conducted once per quarter. You must sample the runoff and examine it for floating, settled, and suspended solids, color, clarity, sheen, odor, foam, and other obvious indicators of stormwater pollution. Results must be recorded in your SWP3.

Benchmark monitoring is conducted twice a year. Benchmark values are indicators of stormwater pollution associated with your specific sector of industry. Samples are collected and sent for analysis by a lab accredited by the National Environmental Laboratory Accreditation Conference (NELAC). You must include the lab results in your SWP3 and submit a summary of results to the TCEQ before March 31 of each year using the Benchmark Summary form. To obtain this form, go to the online TCEQ Forms Search *<www.tceq.texas.gov/search_forms.html> and search for TCEQ-20091.*

Numeric effluent limits are established for hazardous metals, and you must monitor for these metals once a year. Samples are collected and sent for analysis by a lab accredited by NELAC. You must record the results on a Discharge Monitoring Report (DMR) (EPA Form 3320-1) and include it in your SWP3. If the pollutant concentration in a sample exceeds the limits of a sampling parameter, you must submit a copy of the DMR to the TCEQ by March 31 of each year. Blank DMRs are available online at the TCEQ Web page Monitoring and Reporting Stormwater Discharges from Industrial Facilities *<www.tceq.texas.gov/goto/swif>*.

FACILITY INFORMATION

FACILITY INFORMATION

Describe the facility's industrial activities and processes: The East Bank Wastewater Treatment Plant treats municipal wastewater from the City of Center, Texas. The facility uses the activated sludge process in extended aeration mode. Treatment units include bar screen, lift station, aeration basin, two final clarifiers, and chlorine contact basin (with de-chlorination equipment). The facility also utilizes an aerated sludge tank and two meter belt filter press for the dewatering of sludge. The facility is also equipped with sludge drying beds, but these units are currently inactive having been superceded by the belt filter press.

List the water bodies receiving the facility's stormwater discharges: The immediate receiving water body for stormwater discharged from the facility site is an un-named tributary of Cedar Creek in Shelby County, Texas

Indicate whether or not these water bodies are impaired or have an established Total Maximum Daily Load (TMDL) for any particular pollutant(s): The un-named tributary of Cedar Creek does not appear in the draft 2014 Texas Integrated Report - Texas 303(d) List and therefore does not appear to be categorized as impaired. This facility is not located within the Edwards Aquifer Recharge Zone. Based on this information, it appears that there are no TMDLs applicable for this water body.

Explain whether or not the facility's discharges will impact those water bodies and why: Stormwater discharges from this facility are not expected to adversely impact the receiving water bodies. All process chemicals utilized at the facility are stored under cover, are completely enclosed within buildings, or are contained in sealed cylinders with non-leaking valves so that they do not come into contact with stormwater runoff. The sludge drying beds are no longer in use having been superceded by the belt filter press which is operated in a completely enclosed building so as to protect the dried sludge from rainfall and runoff. The facility's influent lift station is designed so as to protect all grit and screenings from contact with or runoff. The facility is equipped with pavement and well-maintained grass cover to prevent erosion and sedimentation of the receiving water bodies due to storm water runoff from the site.

POLLUTION PREVENTION TEAM

POLLUTION PREVENTION TEAM

Team Member (Name/Title): Larry Weaver, Wastewater Treatment Plant Superintendent

Responsibilities: Responsible for the development, implementation, maintenance, and revisions to the SWP3. Duties include stormwater sampling, conducting routine facility inspections, rain gauge monitoring, making revisions to the SWP3 if needed, maintenance of Best Management Practices (BMPs) and erosion controls, investigations of non-stormwater investigations, ensuring that good housekeeping measures are being utilized, maintenance of the exposed inventory list and updating it if needed, site map development and maintenance, spill prevention and response, conducting employee training and documentation, maintenance of the spill and leak log, and performing annual comprehensive site compliance evaluations. Some or all of these tasks may be assigned to qualified designees on an as-needed basis.

Team Member (Name/Title): _____

Responsibilities: _____

Team Member (Name/Title): _____

Responsibilities: _____

PART 2
DESCRIPTION OF POTENTIAL POLLUTANT SOURCES

DESCRIPTION OF POTENTIAL POLLUTANT SOURCES

NARRATIVE DESCRIPTION OF POTENTIAL POLLUTION SOURCES

The East Bank Wastewater Treatment Plant treats domestic wastewater from the City of Center, Texas. Treated effluent is discharged from the facility in accordance with its TPDES permit. The facility's influent lift station, belt filter press, and dechlorination equipment are completely enclosed inside buildings and are thus protected from rainfall and runoff. The facility's aeration basin, clarifiers, and aerated sludge tank are constructed so as to protect them and their processes from runoff. The facility's chlorine cylinders are stored in the open but are tightly sealed, in good structural condition, and do not have leaking valves and therefore are not subject to this SW3P.

However, the following activities at the facility could potentially add pollutants to stormwater discharges from the site:

- Truck Loading Area at Belt Filter Press Building - The belt filter press is located inside a building and is protected from rainfall and runoff. However, the dried sludge is loaded onto trucks for transport offsite for final disposal. It is possible that some of the dried sludge could be spilled at this location during the loading process. In that event, the dried sludge would be collected and reloaded onto the truck; however, if for some reason the spilled sludge was left in place then it is possible that stormwater could carry it offsite.

- Petrochemicals - The facility is equipped with a 500 gallon diesel storage tank that is protected from runoff by a berm. The tank is well sealed, structurally sound, and does not have leaking valves. In the event of a tank failure, the berm would contain the spill and prevent it from coming into contact with runoff or run-on. However, it is possible that a spill could occur from the hose outside of the berm while fueling. Such spills would be immediately cleaned up with absorbent. It is possible that the diesel fuel could become a pollutant to stormwater runoff if a significant rainfall event was to occur before the spill was cleaned up.

  The facility is equipped with several paved parking areas and driveways in order to accommodate vehicular traffic. Therefore, it is possible that an older or poorly maintained vehicle(such as an employee or visitor's private vehicle) could potentially leak small quantities of oil or other automobile fluids while parked in these areas. If this situation is not remedied and the leak cleaned up, then the automobile fluids could become a pollutant to stormwater runoff from the site during the next rainfall event.

- Trash - The facility is equipped with a roll off dumpster for to contain domestic solid waste generated from the office building and other elements of the facility. This dumpster is emptied weekly and the solid waste is removed from the site for final disposal. The leak-proof dumpster is equipped with a cover to protect the contents from exposure to rainfall and runoff. However, it is possible that some waste might be spilled outside of the container by accident. If, for some reason, the garbage is left outside of the container, then it could come into contact with stormwater runoff.

  A limited amount of scrap metal is also collected at the site and removed periodically for final disposal. This metal is stored adjacent to the 500 gallon diesel fuel tank within its protective berm. As such, this scrap metal does not come into contact with runoff from the facility as long as the berm is in good working order. However, if the berm was to become compromised for some reason, then this material could come into contact with stormwater runoff from the site.

- Sediment - The site is well vegetated to reduce erosion; however, the site is mowed at regular intervals by a contracted third party and it is possible that dust could be generated by this activity and carried off during a rainfall event. The facility is equipped with paved parking areas and driveways, so it is possible that mud could be transported from offsite by visiting vehicles and deposited on these areas where they could come into contact with stormwater and be transported by runoff and deposited as sediment.

Non-stormwater discharges occur at the facility in the form of wash water generated when the facility's vehicles are washed in the asphalted area on an as-needed basis. This occurs approximately once a month on average.

INVENTORY OF EXPOSED MATERIALS

INVENTORY OF EXPOSED MATERIALS

The Pollution Prevention Team must develop an inventory of materials currently handled at the facility that may be exposed to rainfall. This list must include all materials that are handled, stored, processed, treated, or disposed of in a manner that allows exposure to rainfall or runoff. The inventory of exposed materials must also include specific pollutants (e.g. oil and grease, copper, wood shavings, etc.) that can be attributed to those materials. It is mandatory to update the inventory within 30 days of a significant change in the types of materials that are exposed to rainfall or runoff, or within 30 days of a significant change in the types of materials exposed to stormwater that were not already included in the inventory. A significant change in material management practices is a change that would either result in initial exposure of a material not already listed in the inventory, or result in an increased exposure of an already listed material.

As required for wastewater treatment plants, the permittee shall document in the SWP3 the following additional sources and activities that have potential pollutants associated with them, if present at the site: grit, screenings, and other solids handling, storage, or disposal areas; sludge drying beds; dried sludge piles; compost piles; septage or hauled waste receiving station; and access roads and rail lines.

The inventory does not have to include any materials stored in drums, barrels, tanks, and similar containers that are tightly sealed, in good structural condition, and do not have leaking valves.

CITY OF CENTER EAST BANK WWTP - STORMWATER POLLUTION PREVENTION PLAN

INVENTORY OF EXPOSED MATERIALS

The Pollution Prevention Team must develop an inventory of materials currently handled at the facility that may be exposed to rainfall. This list must include all materials that are handled, stored, processed, treated, or disposed of in a manner that allows exposure to rainfall or runoff. The inventory of exposed materials must also include specific pollutants (e.g. oil, grease, etc.) that can be attributed to those materials. It is mandatory to update this inventory within 30 days of a significant change in the types of materials that are exposed to rainfall or runoff, or within 30 days of a significant change in the types of materials exposed to stormwater that were not already included in the inventory. A significant change in material management practices is a change that would either result in initial exposure of a material not already listed in the inventory, or result in an increased exposure of an already listed material.

Note: *The inventory does not have to include any materials stored in drums, barrels, tanks, and similar containers that are tightly sealed, in good structural condition, and do not have leaking valves.* As such, the chlorine cylinders which are stored in the open are not included herein; neither are the sodium bisulfide cylinders which are stored in covered area.

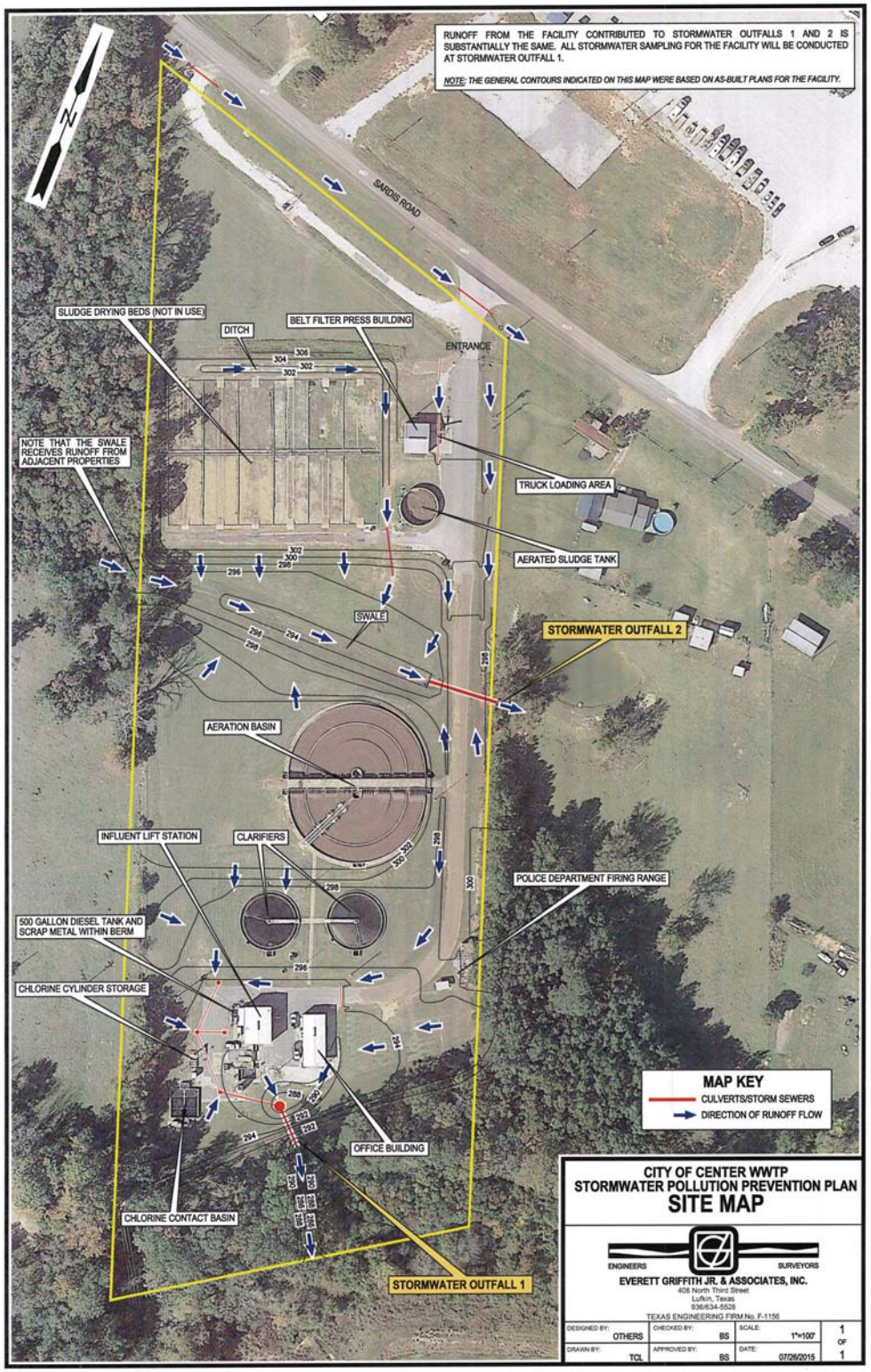
INVENTORY OF EXPOSED MATERIALS			
Materials	**Quantity**	**Storage Location or Activity**	**Specific Pollutant(s)**
Diesel Fuel	500 gallon storage tank containing diesel fuel	500 gallon storage tank within berm: Note that the tank itself is not expected to leak because it is tightly sealed, in good structural condition, and does not have leaking valves. It is listed herein in the unlikely event that some of diesel is spilled from the hose outside of the berm during refueling.	Diesel Fuel
Wash Water	Varies; estimated to be 25 to 55 gallons of wash water	Paved Parking Area: Truck is washed in the asphalted area on an as-needed basis. This occurs approximately once a month on average	Wash water
Scrap Metal	Varies	Within Berm: Scrap metal is kept within the berm adjacent to the diesel storage tank. Note that the scrap metal is within the protect berm and is protected from run-on and runoff during normal operating conditions as long as the berm is in good working order.	Metal fragments, rust
Automobile fluids (potential)	Potential small quantities	Paved Parking Areas: Note that vehicle maintenance is not conducted at this facility; however, the facility is equipped with several paved parking areas and driveways so it is possible that an older or poorly maintained private vehicle owned by a third party (such as an employee or visitor's private vehicle) could potentially leak oil or other automobile fluids in small quantities while parked in these areas.	Oil, transmission fluid, grease, etc.
Trash	None under normal operating conditions	Roll Off Dumpster: Note that the facility is equipped with a roll off dumpster for trash that is emptied weekly. The leak-proof dumpster is equipped with a cover to protect the contents from exposure to rainfall and runoff. However, it is possible that some waste might be spilled outside of the container by accident.	Domestic solid waste

INVENTORY OF EXPOSED MATERIALS

Materials	Quantity	Storage Location or Activity	Specific Pollutant(s)
Dried sludge	None under normal operating conditions	Loading area at Belt Filter Press Building: Note: the sludge drying beds are no longer used at this facility having been replaced by the belt filter press. Liquid removed from the sludge is redirected to the head of the plant via piping and is not applicable to this SWPPP. All sludge processing operations are conducted within the Belt Filter Press Building and are thereby protected from rainfall and runoff. However, it is possible that some dried sludge might be spilled as it is loaded onto trucks for transport off-site for final disposal. If that was to occur, it would happen in the paved truck loading area immediately adjacent to the building.	Dried sludge from domestic wastewater
Sediment, dust	Unknown	Various Areas: The site is well vegetated to reduce erosion; the site is mowed at regular intervals by contracted workers. It is possible that dust could be generated by mowing and carried off during a rainfall event.	Sediment; dust

INVENTORY OF EXPOSED MATERIALS			
Materials	**Quantity**	**Storage Location or Activity**	**Specific Pollutant(s)**

SITE MAP


RUNOFF FROM THE FACILITY CONTRIBUTED TO STORMWATER OUTFALLS 1 AND 2 IS SUBSTANTIALLY THE SAME. ALL STORMWATER SAMPLING FOR THE FACILITY WILL BE CONDUCTED AT STORMWATER OUTFALL 1.
NOTE: THE GENERAL CONTOURS INDICATED ON THIS MAP WERE BASED ON AS-BUILT PLANS FOR THE FACILITY.
SARDIS ROAD
SLUDGE DRYING BEDS (NOT IN USE)
DITCH
BELT FILTER PRESS BUILDING
ENTRANCE
NOTE THAT THE SWALE RECEIVES RUNOFF FROM ADJACENT PROPERTIES
TRUCK LOADING AREA
AERATED SLUDGE TANK
SWALE
STORMWATER OUTFALL 2
AERATION BASIN
INFLUENT LIFT STATION
CLARIFIERS
POLICE DEPARTMENT FIRING RANGE
500 GALLON DIESEL TANK AND SCRAP METAL WITHIN BERM
CHLORINE CYLINDER STORAGE
OFFICE BUILDING
CHLORINE CONTACT BASIN
STORMWATER OUTFALL 1
MAP KEY
CULVERTS/STORM SEWERS
DIRECTION OF RUNOFF FLOW
CITY OF CENTER WWTP
STORMWATER POLLUTION PREVENTION PLAN
SITE MAP
ENGINEERS
SURVEYORS
EVERETT GRIFFITH JR. & ASSOCIATES, INC.
408 North Third Street
Lufkin, Texas
936/634-5528
TEXAS ENGINEERING FIRM No. F-1156
DESIGNED BY: OTHERS
CHECKED BY: BS
SCALE: 1"=100'
DRAWN BY: TCL
APPROVED BY: BS
DATE: 07/26/2015
1 OF 1

SPILL AND LEAK LOG

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STORMWATER POLLUTION PREVENTION PLAN

SPILL AND LEAK LOG

The Stormwater Pollution Prevention Plan must contain a list of reportable quantity spills and leaks of toxic or hazardous pollutants. A reportable quantity spill is one where the amount of material spilled requires it be reported to the TCEQ at (800) 832-8224 and/or the National Response Center at (800) 424-8802. Regulations concerning reportable quantities can be found at Title 30 Texas Administrative Code (TAC) §327.4. In the list, describe spills and leaks that occurred during the three years before the NOI was submitted. Also include all other spills within the last five years, even if they were not of reportable quantity. You must update the list quarterly to include additional spills and leaks, if they occur while operating under the Multi-Sector General Permit.

SPILL AND LEAK LOG				
Date of Spill	**Material Spilled**	**Did the Spill Result in a Discharge?**	**Corrective Action Taken**	**Date Reported to TCEQ**

SPILL AND LEAK LOG				
Date of Spill	Material Spilled	Did the Spill Result in a Discharge?	Corrective Action Taken	Date Reported to TCEQ

SPILL AND LEAK LOG				
Date of Spill	Material Spilled	Did the Spill Result in a Discharge?	Corrective Action Taken	Date Reported to TCEQ

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SPILL AND LEAK LOG				
Date of Spill	Material Spilled	Did the Spill Result in a Discharge?	Corrective Action Taken	Date Reported to TCEQ

PART 3
POLLUTION PREVENTION MEASURES AND CONTROLS

BEST MANAGEMENT PRACTICES

CITY OF CENTER EAST BANK WWTP
STORMWATER POLLUTION PREVENTION PLAN

BEST MANAGEMENT PRACTICES

The following list describes the best management practices (BMPs) used to reduce the discharge and potential discharge of pollutants in stormwater. BMPs, like good housekeeping measures, may be everyday operating procedures that aid in the prevention of exposure of pollutants to stormwater. BMPs may also be structural controls such as covered storage racks. Note that the following list has blank spaces to allow for the listing of additional BMPs that may be developed at the facility. Though an exact date is not required, at a minimum, you should list a month and year, or quarter and year to demonstrate advances made in stormwater pollution prevention, and updates made to the SWP3 annually.

BEST MANAGEMENT PRACTICES		
Location within the Facility	**BMP Used**	**Implementation Date**
Entire Site	Use grading or berming when possible to prevent runoff of contaminated flows and to divert run-on away from these areas	Since Facility Start-up
Entire Site	Locate materials, equipment, and activities in such a way that leaks are contained in existing containment and diversion systems. Clean up spills and leaks promptly using dry methods (e.g., absorbents) to prevent the discharge of pollutants. Use drip pans and absorbents under or around leaky vehicles and equipment or store indoors where feasible.	Since Facility Start-up
Entire Site	Ensure that waste, garbage, and floatable debris are not discharged to receiving waters, by keeping exposed areas free of such materials or by intercepting them before they are discharged.	Since Facility Start-up
Entire Site	Minimize generation of dust.	Since Facility Start-up

BEST MANAGEMENT PRACTICES		
Location within the Facility	BMP Used	Implementation Date

BEST MANAGEMENT PRACTICES		
Location within the Facility	BMP Used	Implementation Date

BEST MANAGEMENT PRACTICES		
Location within the Facility	BMP Used	Implementation Date

GOOD HOUSEKEEPING MEASURES

GOOD HOUSEKEEPING MEASURES

Ensure that areas of the facility that contribute or potentially contribute pollutants to stormwater discharges are maintained in a clean, orderly manner. Good housekeeping is one of the most important aspects of stormwater pollution prevention efforts. Good housekeeping must include measures to eliminate or reduce exposure of trash and debris, prior to their proper disposal, to rainfall or runoff. Typical good housekeeping measures include activities performed on a daily basis by employees during the course of normal work activities. Good housekeeping measures must be incorporated as a part of the employee training program to ensure that all employees know the company's policies and how their responsibilities affect compliance.

GOOD HOUSEKEEPING MEASURES	
Location within the Facility	**Housekeeping Measure**
Loading/Unloading Areas	While loading or unloading any materials at the site staff personnel will police the areas of activity for any spills, trash, or debris. If any of those materials are found, the areas will be cleaned as soon as possible in order to prevent their contact with stormwater.
Area Around Dumpster	The area around the trash dumpster will be kept clean. The top of the dumpster will remain closed in order to protect the trash therein from rainfall.
Scrap Metal Storage Area	Scrap metal will be deposited within the protective berm. The berm will be maintained in good working order to protect the scrap metal from contact with runoff.
General	During the course of their daily work activities, site personnel will take care to keep the facility as clean and orderly as possible. Trash will be deposited within the dumpster or other approved containers in order to prevent it coming into contact with stormwater.

EROSION AND SEDIMENTATION CONTROL MEASURES

EROSION AND SEDIMENTATION CONTROL MEASURES

The facility is well vegetated and soil erosion is not generally an issue at the site. The following controls should be evaluated and used, as necessary, to prevent soil loss in areas of the facility that have the potential for erosion:

EROSION AND SEDIMENTATION CONTROL MEASURES			
BMP	**Location**	**Used**	**Not Used**
Soil Stabilized through Vegetative Cover	The pervious areas of the facility are well vegetated with grass that is mowed as-needed by contracted labor.	Yes	
Site Contouring	The area has been contoured as part of the site development to direct stormwater away from the treatment units to grassed swales, ditches, and on-site storm sewers. These slopes have been constructed so as to keep the velocity of stormwater as low as possible in order to reduce the potential of erosion.	Yes	
Paving	The facility is equipped with paved parking areas and driveways	Yes	
Structural Controls	The facility is equipped with an on-site storm sewer near the office building.	Yes	
	The swale and ditches are equipped with culverts where they intersect driveways.	Yes	
	The 500 gallon diesel storage tank is equipped with a berm to contain potential spills and to protect the tank from runoff.	Yes	

MAINTENANCE PROGRAM FOR STRUCTURAL CONTROLS

MAINTENANCE PROGRAM FOR STRUCTURAL CONTROLS

MAINTENANCE PROGRAM FOR STRUCTURAL CONTROLS				
Structural Control	**Inspection Schedule**	**Inspector**	**Maintenance Frequency**	**Volume of Solids Removed**
Berm around 500 gallon diesel storage tank	Quarterly	Facility Superintendent or designee	As needed	Not applicable
Facility ditches and swale	Quarterly	Facility Superintendent or designee	As needed	Not applicable
On-site Storm Sewer	Quarterly	Facility Superintendent or designee	As needed	Not applicable

SPILL PREVENTION AND RESPONSE MEASURES

SPILL PREVENTION AND RESPONSE PROCEDURES

Employees will be instructed to watch for any leaks or spills of materials at the facility that could contribute pollutants to stormwater discharges and to report such occurrences so that they can be removed. All tanks, drums, and similar containers to be properly labeled. Secondary containment structures around liquid storage tanks will be kept in good working order. Tanks and similar containers will be inspected routinely. Spill kits will be placed in strategic locations throughout the facility.

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STORMWATER POLLUTION PREVENTION PLAN

SPILL PREVENTION AND RESPONSE MEASURES

SPILL PREVENTION AND RESPONSE MEASURES		
Date of Inspection	Inspector	Response Procedure

SPILL PREVENTION AND RESPONSE MEASURES		
Date of Inspection	Inspector	Response Procedure

SPILL PREVENTION AND RESPONSE MEASURES		
Date of Inspection	**Inspector**	**Response Procedure**

EMPLOYEE TRAINING PROGRAM

EMPLOYEE TRAINING PROGRAM AND EMPLOYEE EDUCATION

Training must be offered to all employees who are responsible for implementing or maintaining activities identified in this SWP3. When developing the schedule for employee training sessions, you must consider pollutant potential, employee turnover rate, and other factors, as needed. Conduct training at least once per year and maintain all training activity records. You also must also offer education to employees at the facility who are not directly responsible for implementing or maintaining activities identified in the SWP3, and who do not participate in the employee training program. At a minimum, educate these employees of the SWP3's basic goal and how to contact the facility's Pollution Prevention Team about stormwater related issues.

EMPLOYEE TRAINING PROGRAM

Training Topic	Was this topic covered?		Date of Training				
	Yes	No	Year 1	Year 2	Year 3	Year 4	Year 5
Materials management; petroleum product management; handling practices for specific process chemicals, fluids, and other materials used or commonly encountered at the facility; fueling procedures; and proper procedures for utilizing fertilizer, herbicides, and/or pesticides							
Spill prevention methods							
Location of spill cleanup materials and equipment							
Spill cleanup techniques							
Proper spill reporting procedures							
Good housekeeping measures							
Best management practices							
Familiarization with the goals of the Storm Water Pollution Prevention Plan							

EMPLOYEE EDUCATION PROGRAM

Training Topic	Was this topic covered?		Date of Training				
	Yes	No	Year 1	Year 2	Year 3	Year 4	Year 5
Basic goals of the Stormwater Pollution Prevention Plan							
Contacting the Stormwater Pollution Prevention Team							

EMPLOYEE TRAINING: POLLUTION PREVENTION MEASURES AND CONTROLS		
Name of Staff Member	**Signature**	**Date**

EMPLOYEE TRAINING: POLLUTION PREVENTION MEASURES AND CONTROLS		
Name of Staff Member	**Signature**	**Date**

PART 4
PERIODIC INSPECTIONS AND MONITORING

NON-STORM WATER DISCHARGES

NON-STORMWATER DISCHARGES FORM

Non-stormwater discharges are defined as discharges from your facility that occur when it is not raining. Certain non-stormwater discharges are covered under this permit. They include:

- discharges from firefighting activities, fire hydrant flushing, or potable water sources (excluding discharges of hyperchlorinated water, unless the water is first dechlorinated and discharges are not expected to adversely affect aquatic life)
- lawn watering and similar irrigation drainage
- water from routine external washing of buildings, conducted without the use of detergents or other chemicals
- water from the routine washing of pavement conducted without the use of detergents or other chemicals, and where spills and leaks of toxic or hazardous materials have not occurred (unless all contaminated materials have been abated)
- boat rinse water from transportation facilities, such as marinas, where the boat rinse water does not contain chemicals, surfactants, or elevated temperatures and is not from pressure washing activities
- air conditioner condensate, compressor condensate, and condensate that externally forms on steam lines
- water from foundation or footing drains where flows are not contaminated with pollutants (e.g. process materials, solvents, and other pollutants)
- springs and other uncontaminated ground water
- discharges described in Part V of the permit that are subject to effluent guidelines and effluent limitations.

The facility's Pollution Prevention team must conduct an evaluation of potential non- stormwater discharges that are not approved by the permit. If the facility discharges into a separate storm sewer system, the team should also test the system or inspect it for the presence of non-stormwater flows. The designated Pollution Prevention Team member(s) must eliminate any potential sources that are discovered. Process wastewater must not be combined with stormwater discharges and must not be discharged off-site unless authorized under an individual TPDES permit.

The SWP3 must be updated based on this evaluation to include the following:

- the date and description of the criteria used for the evaluation;
- the outfalls or onsite discharge points observed;
- the different types of identified non-stormwater discharges and their source locations; and
- appropriate BMPs for the non-stormwater discharges, or the actions taken or the control measures used to eliminate them.

The SWP3 must include a certification statement that an investigation of non- stormwater discharges was conducted and the discharge of non-permitted, non- stormwater discharges does not occur. The certification must include steps taken while conducting the evaluation, results of any testing, dates of evaluations or tests, and the portions in the separate storm sewer system, if any, that were observed during the investigation. The results of the investigation and the certification must be prepared and readily available for review within 180 days of filing for permit coverage.

If a part of the separate storm sewer system cannot be accessed to complete the evaluation, then the certification will cover the remainder of the system. Notice of this deficiency must be provided to the TCEQ within 180 days after permit coverage is obtained. Facilities that contribute stormwater discharges to a municipal separate storm sewer system (MS4) must provide notice of this deficiency **upon request**. The notice shall include an explanation of why the evaluation could not be performed and list in the certification all known potential, non-permitted, non-stormwater sources that could not be included in the evaluation.

CITY OF CENTER EAST BANK WWTP SWP3 - PERIODIC INSPECTIONS AND MONITORING

NON-STORMWATER DISCHARGES FORM

APPROVED NON-STORMWATER DISCHARGES	
Type of Discharge	**Process or Activity**

Narrative Description of Non-Stormwater Discharge Investigation:

NON-STORMWATER DISCHARGE INVESTIGATION		
DATE	**FINDINGS**	**CORRECTIVE ACTION TAKEN**

Non-Stormwater Discharges

Certification Statement: 30 TAC 305.128 – "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 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 fines and imprisonment for knowing violations."

Signature: _____ **Date:** 8/6/15

ROUTINE FACILITY INSPECTIONS

CITY OF CENTER EAST BANK WWTP - STORMWATER POLLUTION PREVENTION PLAN

POLLUTION PREVENTION MEASURES AND CONTROLS ROUTINE FACILITY INSPECTION FORM

Qualified personnel who are familiar with permit requirements and the industrial activities performed at the facility must conduct periodic inspections to determine the effectiveness of the following:

- good housekeeping measures
- spill prevention and response measures
- erosion control measures
- maintenance or repairs for structural controls
- best management practices
- employee training program
- any previously unidentified discharges of pollutants from the site
- any failed control measures that need replacement
- any incidents of noncompliance that are observed
- any additional control measured needed to comply with the permit requirements; and
- identification of any existing BMPs that are not being properly or completely implemented.

In addition to the information that must be included in the inspections required in Part III of the permit, the following areas must be inspected as well for wastewater plants:

- access roads and rail lines;
- grit, screenings, and other solids handling, storage, or disposal areas;
- sludge drying beds;
- dried sludge piles;
- compost piles;
- and septage or hauled waste receiving station.

Inspections must occur on a frequency of once per quarter, unless otherwise specified in Part V of the MSGP that relates to specific requirements for industrial activities. On-site inspections must be documented by the use of a checklist that includes each of the controls and measures being evaluated. The routine facility inspection checklist must remain available for review upon request. When revisions or additions to the SWP3 are recommended as a result of inspections, you must attach a summary description of these proposed changes to the inspection checklist. The summary must identify any necessary time frames required to implement the proposed changes.

ROUTINE FACILITY INSPECTION FORM

Name of Control/Measure:				Quarter: ☐ 1st, ☐ 2nd, ☐ 3rd, ☐ 4th
Inspector:_____ Date/Time:_____				
Inspection Element	**Evaluated**		**Findings**	**Corrective Actions**
	Yes	**No**		
Good housekeeping measures				
Spill prevention and response				
Erosion control measures				
Maintenance or repairs for structural controls				
Best management practices				
Employee training and education programs				
Access Roadways				
Grit, screenings, and other solids handling, storage, or disposal areas (if applicable)				
Sludge drying beds				
Dried sludge piles (if applicable)				
Compost piles (if applicable)				
Septage or hauled waste receiving station (if applicable)				

QUARTERLY VISUAL MONITORING FORM

TCEQ REGULATORY GUIDANCE
Small Business and Local Government Assistance
RG-403 (Revised)
December 2006

Quarterly Visual Monitoring of Storm Water Runoff:

A Guide for Industries Operating under the TPDES Multi-Sector General Permit, TXR050000

Introduction

This guide is aimed at industrial facilities that are subject to the Texas Pollutant Discharge Elimination System (TPDES) Multi-Sector General Permit (MSGP) for discharges of storm water—TXR050000. The MSGP is also known as the Industrial Storm Water General Permit.

Quarterly visual monitoring is designed to help you assess the effectiveness of your Storm Water Pollution Prevention Plan (SWP3) in reducing pollution in storm water runoff from your facility. The ultimate goal of the TPDES program is to improve the quality of surface water in the state.

This guide is intended to help you perform quarterly visual monitoring of storm water runoff; however, the guide is not a substitute for the rules. To find the requirements, refer to the TPDES MSGP; the Code of Federal Regulations (CFR), Title 40, Section 122.26; and the Texas Water Code, Sections 26.027, 26.040, and 26.121.

A copy of the MSGP can be obtained at the TCEQ Web site, **www.tceq.state.tx.us**. In the Subject Index under "Water," look for "Industrial Storm Water Permits" and choose "General Permit No. TXR050000." If you have any questions about this document, or if you need further assistance, contact the Storm Water and Pretreatment Team at 512-239-4671, or the Small Business and Local Government Assistance (SBLGA) Section at 1-800-447-2827.

What is visual monitoring?

Visual monitoring is examining and assessing a grab sample of storm water for these characteristics, or parameters: color, clarity, oil sheen, odor, solids, foam, and other obvious indicators of storm water pollution. A *grab sample* is a water sample that is collected all at once, in a clear glass container, from the specific water source—in this case, each of your facility's outfalls or representative outfalls (those that represent other outfalls with similar characteristics).

On a quarterly basis, visual monitoring should be conducted by a member of your Pollution Prevention Team, as described in your SWP3. Where practical, the same person should collect and examine the samples for the entire term of the permit to ensure consistency.

Outfalls

An *outfall* is the point (or points) at the boundary of your facility where storm water runoff leaves your site, or within your facility where the discharge enters a receiving water. When discharges enter a receiving water on company property, the outfall is the point immediately before where the discharge meets the receiving water. When discharges enter a receiving water—which can include an intermittent stream—off company property, the outfall is the point where the discharge leaves your site.

Substantially similar outfalls

Substantially similar outfalls are discharges from drainage areas undergoing similar industrial activities, where the discharges are expected to be of similar quantity, quality, and composition. If you have substantially similar outfalls, you may be able to do representative discharge sampling.

Representative discharge sampling makes it possible for you to sample one outfall and allows it to count as the sampling for a substantially similar outfall. Taking this

approach could reduce the amount of staff time required for monitoring. Substantially similar outfalls may not be established for non-storm water discharges.

In order to conduct representative discharge sampling, you must first document in your SWP3 how you determined that your outfalls are substantially similar. At a minimum you must compare:

- the industrial activities that occur in the drainage area of each outfall;
- any significant materials stored or handled within the drainage area of each outfall; and
- the management practices and pollution control structures that exist within the drainage area of each outfall.

Why should I do quarterly visual monitoring?

Quarterly visual monitoring is required in the permit for all facilities, and it helps you to assess whether *best management practices* (BMPs) are effectively working to reduce the potential for contamination of storm water runoff as it leaves your facility. Quarterly visual monitoring may also indicate a source of pollution that you had not considered during the development of BMPs, such as recurring spills or an infrequent industrial activity.

BMPs are those practices implemented at your facility to control, prevent, or reduce the discharge of pollutants so that they do not enter water in the state. Examples of BMPs can include operating procedures, maintenance procedures, and physical controls.

Inactive facilities are not required to conduct quarterly visual monitoring if they have notified the TCEQ in writing of their inactive status.

How often do I perform quarterly visual monitoring?

You must visually examine each outfall authorized by the general permit every quarter, starting with the first full quarter following the submission of your permit application form. The permit application form is called a *Notice of Intent* (NOI). You must describe your monitoring process in detail in your SWP3. For the purposes of the MSGP, quarters are defined as follows:

- January through March
- April through June
- July through September
- October through December

When during the quarter should I perform monitoring?

You are required to perform visual monitoring during a discharge that occurs as a result of a qualifying rain event. For purposes of the MSGP, a *qualifying rain event* is defined as a rainstorm that:

- produces 0.1 inches or more in measured rainfall;
- causes runoff to be present at the outfall; and
- occurs at least 3 days (72 hours) from the previous 0.1-inch rainfall.

Make every attempt to obtain your samples within the first 30 minutes after discharge is observed at your outfall(s). If you are not able to do so, then sample within the first hour of runoff at the outfall. If you cannot collect samples within the first 30 minutes after discharge begins, you must document in your SWP3 why you could not collect samples during that time.

Monitoring must be conducted during daylight hours, during normal hours of operation for the facility. Once you collect a sample for a particular quarter, you are not required to sample again until the next quarter.

It is recommended that your facility maintain a rain gauge on site to help identify qualifying rain events. Some cities require facilities discharging into their storm sewer systems to maintain a rain gauge on site.

What if I can't get a sample?

We recognize that you cannot always get a sample—for example if the rainfall occurs overnight, or there are hazardous weather conditions. In such cases you must attempt to sample two qualifying storm events during the next quarter. If you are unable to sample two events during the next quarter, the missed sample is permanently waived.

Be sure to document in your SWP3 that you were unable to collect a sample, and state a reason or reasons why (for example, drought conditions, or the rainfall occurred overnight). Do not attempt to take a sample during dangerous conditions caused by the presence of lightning strikes or other weather hazards. If you cannot collect a sample because of a dangerous situation, note the condition in your SWP3.

Do I have to sample *all* of my outfalls every time I conduct monitoring?

No, facilities with significantly similar drainage areas for each outfall may be able to claim representative outfalls.

This approach allows a facility to sample one outfall and have it represent other outfalls with similar characteristics. Outfalls are considered *significantly similar* if their drainage areas exhibit the same industrial activities, the same exposed materials, and implementation of similar pollution control measures.

How is a sample collected and examined?

When examining samples, take the following steps:

- Collect grab samples from the outfall locations using a clean, clear glass jar.
- Attempt to take the sample from the middle of the water column to avoid scooping sediment or solids into the sample.
- Record the outfall number, date, and time you collected the sample, as well as the name of the person conducting the monitoring.
- Examine the sample in a well-lit area within 30 minutes after collecting it.
- Document your observation of the required parameters and other obvious indicators of storm water pollution.
- Include your visual monitoring reports in your SWP3. Your SWP3 must be located at your facility, or in a place where it may be readily available for review by authorized TCEQ personnel upon request.

What parameters must be examined?

As part of your visual examination, you must document what you observe in each sample regarding six parameters: color, clarity, oil sheen, odor, solids, and foam.

If you notice an impact to any of these parameters, then determine what industrial activities or conditions might be the cause. Also determine whether additional BMPs or pollution prevention measures need to be employed to prevent this condition.

The following paragraphs discuss each parameter.

Color

If the sample is colorless, then it may indicate that your BMPs are helping to prevent certain pollutants from leaving your site. Color in water can be due to pollutants or suspended matter. Look for dramatic changes in the normal water color when assessing this parameter.

Clarity

This parameter refers to the degree of cloudiness present in the sample. It is usually an indication of less pollutants in the water if the sample is clear or transparent. If the clarity has changed since the last sample, identify what might have caused this to happen.

Oil Sheen

An oil sheen is present if a film of iridescent color is noted on the surface of the sample. Look for a rainbow effect that can appear to be floating on the surface of the water.

Odor

Note whether any odors are present and what they smell like (for example, gasoline fumes, rotten eggs or sulphur, a sour smell, sewage, solvent fumes).

Solids

Examine samples for floating, suspended, and settled solids, such as silt, mud, and dirt.

- Floating solids will remain on or near the top of the sample.
- Suspended solids will be suspended within the column of water and may contribute to changes in water color or clarity.
- Settled solids will sink to the bottom of the sample container.

If a large volume of solids is present, determine the cause and note it in your SWP3.

Foam

Gently shake the sample and observe any foaming. Foam in the sample is most likely caused by surfactants, and may resemble dish-washing soapsuds.

How do I document visual monitoring?

Visual monitoring documentation is required by the MSGP. The form that is included in this guide provides a format to record your findings; however, you may also choose a different record-keeping method to document your visual monitoring observations.

How do I respond to the monitoring results?

Once quarterly visual monitoring is performed, members of the Pollution Prevention Team should review the monitoring results. If there were indications of pollutants leaving the site, examine your facility to ensure that you have addressed all industrial activities occurring on your site and that all your BMPs are operating properly. Make any changes necessary to the facility and the BMPs, and note your actions in your SWP3.

Notes

CITY OF CENTER EAST BANK WWTP
STORMWATER POLLUTION PREVENTION PLAN

QUARTERLY VISUAL INSPECTION FORM

Stormwater discharges from each outfall authorized by the general permit must be visually examined on a quarterly basis. Monitoring must be conducted during the normal hours of operation for the facility and samples must be collected in a clean, clear, glass or plastic container and examined in a well-lit area. Fill out a separate form for each sample that you collect (one per outfall). Findings must document observations of the following parameters:

Outfall No.:	**Person Collecting/Examining Sample:**	
Quarter/Year:	**Date & Time Collected:**	**Date & Time Examined:**
Rainfall Amnt:	**Qualifying? □ Yes, □ No**	**Runoff Source: □ Rainfall, □ Snowmelt**
Parameter	**Parameter Description**	**Parameter Characteristics**
Color	Does the water appear to be colored? □ Yes, □ No	Which of the following describes the clarity of the water? □ Clear, □ Milky, □ Opaque
Clarity	Is the water clear or transparent, meaning can you see through it? □ Yes, □ No	Which of the following describes the sheen? □ Oily, □ Silver, □ Iridescent
Oil Sheen	Can you see a rainbow effect or sheen on the water surface? □ Yes, □ No	Describe:
Odor	Does the sample have an odor? □ Yes, □ No	Describe:
Floating Solids	Is there something floating on the surface of the sample? □ Yes, □ No	Describe:
Suspended Solids	Is there something suspended in the water column or sample? □ Yes, □ No	Describe:
Settled Solids	Is there something settled at the bottom of the sample? □ Yes, □ No	Describe:
Foam	Is there foam or material forming on the top of the water? □ Yes, □ No	Describe:
Detail any concerns, corrective actions taken, and any other obvious indicators of pollution present in the sample:		
Collector's Signature:		

RAIN GAUGE MONITORING AND RECORD KEEPING

RAIN GAUGE MONITORING AND RECORD KEEPING

Maintain a rain gauge on-site or utilize a rain gauge in the immediate vicinity of the site to determine when a qualifying rain event occurs. A representative storm event is precipitation that:

- is measurable,
- causes runoff at the outfall, and
- occurs at least 72 hours (3 days) after the previous storm event.

At a minimum, the rain gauge must be monitored:

- once per week, and
- once per day during a storm event

The attached forms are provided so that they can be filled out as required and retained herein.

CITY OF CENTER EAST BANK WWTP
STORMWATER POLLUTION PREVENTION PLAN

RAIN GAUGE MONITORING AND RECORD KEEPING

RAIN GAUGE MONITORING LOG

Month:______________ Year:____________

Parameter	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Day/Time:							
Rain Gauge Reading:							
Sample Taken?:	□ Yes, □ No	□ Yes, □ No	□ Yes, □ No	□ Yes, □ No	□ Yes, □ No	□ Yes, □ No	□ Yes, □ No
Day/Time:							
Rain Gauge Reading:							
Sample Taken?:	□ Yes, □ No	□ Yes, □ No	□ Yes, □ No	□ Yes, □ No	□ Yes, □ No	□ Yes, □ No	□ Yes, □ No
Day/Time:							
Rain Gauge Reading:							
Sample Taken?:	□ Yes, □ No	□ Yes, □ No	□ Yes, □ No	□ Yes, □ No	□ Yes, □ No	□ Yes, □ No	□ Yes, □ No
Day/Time:							
Rain Gauge Reading:							
Sample Taken?:	□ Yes, □ No	□ Yes, □ No	□ Yes, □ No	□ Yes, □ No	□ Yes, □ No	□ Yes, □ No	□ Yes, □ No
Day/Time:							
Rain Gauge Reading:							
Sample Taken?:	□ Yes, □ No	□ Yes, □ No	□ Yes, □ No	□ Yes, □ No	□ Yes, □ No	□ Yes, □ No	□ Yes, □ No
Day/Time:							
Rain Gauge Reading:							
Sample Taken?:	□ Yes, □ No	□ Yes, □ No	□ Yes, □ No	□ Yes, □ No	□ Yes, □ No	□ Yes, □ No	□ Yes, □ No

BENCHMARK MONITORING FORM

Report of Benchmark Monitoring Data for Stormwater Discharges Associated with Industrial Activity under the TPDES Multi-Sector General Permit (TXR050000)

Permit No. TXR05|_|_|_|_|, SIC code: |_|_|_|_| or Industrial Activity Code: |_|_|, Sector: ___

Parameter	Benchmark Level (mg/l)	1st Period Result (Jan–Jun)	2nd Period Result (Jul –Dec)	Annual Average Result (mg/l)	*Check (T) if Annual Average Exceeds Benchmark Level*
BOD5	**30**				

As the operator/representative of this facility, 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 gather and evaluate the information submitted. Based on the 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 possibilit fine and imprisonment for knowing violations.

Signature: _____ Date: _____

Instructions:

- In the top right hand corner, be sure to fill out the permit identification number assigned to your facility. It will begin with "TXR05" and have 4 number or combination of letters/numbers that follow. If you do not know this number, look it up at http://www5.tceq.texas.gov/wq_dpa/index.cfm or contact us (see below).
- Fill out the regulated SIC code and/or industrial acti ty code, as well as the sector (refer to MSGP).
- To find benchmark monitoring parameters, look up the SIC code by industrial sector in Part V of the MSGP. All other benchmark monitoring requirements are in Part IV of the MSGP (frequency, etc.). Not all facilities are required conduct benchmark monitoring. Review the MSGP, and contact us if you have questions.
- Complete a separate copy of this form for each regulated SIC code. If more benchmark parameters are required than space allows, attach another form.
- Enter Sampling Results:
  - If more than one outfall was sampled for a parameter, then each period's monitoring results entered in this table should be the average value from all outfalls for that parameter for that six month period.
  - Enter each result in milligrams per liter (mg/L). If the lab reported micrograms per liter (*n*g/L), multiply each value by 0.001 to calculate mg/L—for example: 2 *n*g/L x 0.001 = 0.002 mg/L.
  - See the attachment to this form for examples of completed entries.
  - If an annual result exceeded a benchmark value, mark the right hand column. The MSGP requires that each exceedance be investigated (see Section IV.A. of the MSGP).
- Sign the completed report form in accordance with 30 TAC Section 305.128.
- Submit the completed form to the TCEQ **on or before March 31st** of each year to:

  TCEQ
  Stormwater and Pretreatment Team, MC-148
  P.O. Box 13087
  Austin TX 78711-3087

Questions? Contact the Stormwater & Pretreatment Team at (512) 239-4671 or SWGP@tceq.texas.gov. Information is also available at www.tceq.texas.gov .

HAZARDOUS METALS DMR

HAZARDOUS METALS - INLAND WATERS

STW / TXR05_____ / CO

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME

ADDRESS

FACILITY LOCATION

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

(2-16)	(17-19)
	N/A
PERMIT NUMBER	DISCHARGE NUMBER

NOTE: Enter your authorization number in the underlined space in the upper right hand corner of this page. Example: STW/ TXR05J102/ CO

Only If required, mail to: TCEQ (MC 213)
P.O. Box 13087
Austin, TX 78711-3087

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MONITORING PERIOD					
YEAR	MO	DAY	YEAR	MO	DAY
	01	01		12	31
(20-21)	(22-23)	(24-25)	(26-27)	(28-29)	(30-31)

PARAMETER (32-37)		(3 Card Only) QUANTITY OR LOADING (46-53) AVERAGE	(54-61) MAXIMUM	UNITS	(4 Card Only) QUALITY OR CONCENTRATION (38-45) MINIMUM	(46-53) AVERAGE	(54-61) MAXIMUM	UNITS	NO. EX (62-63)	FREQUENCY OF ANALYSIS (64-68)	SAMPLE TYPE (69-70)
Arsenic	SAMPLE MEASUREMENT	*******	*******	*******	******	******					
	SAMPLE REQUIREMENT	*******	*******	*******	******	******	0.3 Daily Max			1/Year	Grab
Barium	SAMPLE MEASUREMENT	*******	*******	*******	*******	*******					
	SAMPLE REQUIREMENT	*******	*******	*******	*******	*******	4.0 Daily Max	mg/l		1/Year	Grab
Cadmium	SAMPLE MEASUREMENT	*******	*******	*******	*******	*******					
	SAMPLE REQUIREMENT	*******	*******	*******	*******	*******	0.2 Daily Max	mg/l		1/Year	Grab
Chromium	SAMPLE MEASUREMENT	*******	*******	*******	*******	*******					
	SAMPLE REQUIREMENT	*******	*******	*******	*******	*******	5.0 Daily Max	mg/l		1/Year	Grab
Copper	SAMPLE MEASUREMENT	*******	*******	*******	*******	*******					
	SAMPLE REQUIREMENT	*******	*******	*******	*******	*******	2.0 Daily Max	mg/l		1/Year	Grab

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER			TELEPHONE		DATE		
	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 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 THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS.						
TYPED OR PRINTED		SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	AREA CODE	NUMBER	YEAR	MO	DAY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

Form Approved OMB No. 2040-004

HAZARDOUS METALS - INLAND WATERS

STW / TXR05_____ / CO

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME

ADDRESS

FACILITY LOCATION

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

(2-16)	(17-19)
PERMIT NUMBER	N/A DISCHARGE NUMBER

NOTE: Enter your authorization number in the underlined space in the upper right hand corner of this page. Example: STW/ TXR05J102/ CO

Only If required, mail to: TCEQ (MC 213)
P.O. Box 13087
Austin, TX 78711-3087

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MONITORING PERIOD

YEAR	MO	DAY		YEAR	MO	DAY
	01	01			12	31
(20-21)	(22-23)	(24-25)		(26-27)	(28-29)	(30-31)

PARAMETER (32-37)		(3 Card Only) QUANTITY OR LOADING (46-53)			(4 Card Only) QUALITY OR CONCENTRATION (38-45)	(46-53)	(54-61)		NO. EX (62-63)	FREQUENCY OF ANALYSIS (64-68)	SAMPLE TYPE (69-70)
		AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS			
Lead	SAMPLE MEASUREMENT	*******	******	*******	******	******					
	SAMPLE REQUIREMENT	*******	******	*******	******	******	1.5 Daily Max			1/Year	Grab
Manganese	SAMPLE MEASUREMENT	*******	*******	*******	*******	*******					
	SAMPLE REQUIREMENT	*******	*******	*******	*******	*******	3.0 Daily Max	mg/l		1/Year	Grab
Mercury	SAMPLE MEASUREMENT	*******	*******	*******	*******	*******					
	SAMPLE REQUIREMENT	*******	*******	*******	*******	*******	0.01 Daily Max	mg/l		1/Year	Grab
Nickel	SAMPLE MEASUREMENT	*******	*******	*******	*******	*******					
	SAMPLE REQUIREMENT	*******	*******	*******	*******	*******	3.0 Daily Max	mg/l		1/Year	Grab
Selenium	SAMPLE MEASUREMENT	*******	*******	*******	*******	*******					
	SAMPLE REQUIREMENT	*******	*******	*******	*******	*******	0.2 Daily Max	mg/l		1/Year	Grab

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER			TELEPHONE		DATE		
	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 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 THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS.						
TYPED OR PRINTED		SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	AREA CODE	NUMBER	YEAR	MO	DAY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

Form Approved OMB No. 2040-004

HAZARDOUS METALS - INLAND WATERS

STW / TXR05_____ / CO

NOTE: Enter your authorization number in the underlined space in the upper right hand corner of this page. Example: STW/ TXR05J102/ CO

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME

ADDRESS

FACILITY LOCATION

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

(2-16)	(17-19)
PERMIT NUMBER	N/A DISCHARGE NUMBER

Only If required, mail to: TCEQ (MC 213)
P.O. Box 13087
Austin, TX 78711-3087

☐

MONITORING PERIOD					
YEAR	MO	DAY	YEAR	MO	DAY
	01	01		12	31
(20-21)	(22-23)	(24-25)	(26-27)	(28-29)	(30-31)

PARAMETER (32-37)		(3 Card Only) QUANTITY OR LOADING (46-53) AVERAGE	(54-61) MAXIMUM	UNITS	(4 Card Only) QUALITY OR CONCENTRATION (38-45) MINIMUM	(46-53) AVERAGE	(54-61) MAXIMUM	UNITS	NO. EX (62-63)	FREQUENCY OF ANALYSIS (64-68)	SAMPLE TYPE (69-70)
Silver	SAMPLE MEASUREMENT	*******	*******	*******	*******	*******					
	SAMPLE REQUIREMENT	*******	*******	*******	*******	*******	0.2 Daily Max	mg/l		1/Year	Grab
Zinc	SAMPLE MEASUREMENT	*******	*******	*******	*******	*******					
	SAMPLE REQUIREMENT	*******	*******	*******	*******	*******	6.0 Daily Max	mg/l		1/Year	Grab

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER

TYPED OR PRINTED

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 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 THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS.

SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT

TELEPHONE		DATE		
AREA CODE	NUMBER	YEAR	MO	DAY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

Form Approved OMB No. 2040-004

PART 5
ANNUAL COMPREHENSIVE COMPLIANCE

COMPREHENSIVE SITE COMPLIANCE INSPECTION REPORT

COMPREHENSIVE SITE COMPLIANCE EVALUATION AND REPORT

The comprehensive site compliance evaluation is a required site inspection and an overall assessment of the effectiveness of the current SWP3. This evaluation is in addition to other routine inspections, but may substitute for one quarterly inspection.

Either one or more members of the Pollution Prevention Team will conduct the evaluation at least once per year. The evaluation must include:

- inspection of all areas identified in the Inventory of Exposed Materials section of the SWP3;
- inspection of all structural controls, including maintenance and effectiveness;
- inspection of all nonstructural controls, including BMP effectiveness, good housekeeping measures, and spill prevention;
- all areas where spills and leaks have occurred in the past three years;
- industrial materials, residue, or trash that may have or could come into contact with stormwater;
- leaks or spills from industrial equipment, drums, tanks and other containers;
- offsite tracking of industrial or waste materials, or sediment where vehicles enters or exit the site;
- tracking or blowing of raw, final, or waste materials from areas of no exposure to exposed areas;
- a review of the results of the past year's visual and analytical monitoring when planning and conducting inspections that are required by this general permit;
- inspection of all reasonably accessible areas immediately downstream of each stormwater outfall authorized by this MSGP; and
- any control measures needing replacement, maintenance or repair.

The report must be prepared within 30 days of performing the annual site compliance evaluation, and must include a narrative discussion of your facility's compliance with the current SWP3 and document the following:

- the personnel conducting the evaluation
- the dates of the evaluation
- any incidents of non-compliance
- observations relating to the implementation of control measures;
- previously unidentified discharges from the site;
- previously unidentified pollutants in existing discharges;
- evidence of, or the potential for, pollutants entering the drainage system;
- evidence of pollutants discharging to receiving waters, and the condition of and around each outfalls; and
- additional control measures needed to address any conditions requiring corrective action identified during the inspection.

For the purposes of this inspection, a non-compliance incident is where an element of the SWP3 is either not implemented, or where specific conditions of the permit are not met. If the report indicates an incident of non-compliance, you must complete all necessary actions to achieve compliance as soon as practicable, but no later than 12 weeks following the completion of the report. If the Pollution Prevention Team does not discover any incidents of non-compliance, the report will contain a certification that the facility is in compliance with the SWP3. Either include the report as part of the SWP3 or reference it in the SWP3. The report must remain readily available for review by authorized personnel upon request.

CITY OF CENTER EAST BANK WWTP - STORMWATER POLLUTION PREVENTION PLAN

ANNUAL COMPREHENSIVE SITE COMPLIANCE INSPECTION REPORT

INSPECTOR:_____ INSPECTION DATE/TIME:_____	Will this Inspection be substituted for one of the Quarterly Inspections? ☐ Yes, ☐ No

Inspection Element	Evaluated?		Findings	Corrective Action
	Yes	No		
All areas identified in the Inventory of Exposed Materials section of the SWP3				
All structural controls, including maintenance and effectiveness				
All non-structural controls, including BMP effectiveness, good housekeeping measures, spill prevention, etc.				
All reasonably accessible areas immediately downstream of each stormwater outfall that is authorized under this general permit				
Review all records required by the MSGP				
Employee training and education program				

Narrative discussion of compliance with the current SWP3:

REVISION OF THE SWP3

CITY OF CENTER EAST BANK WWTP
STORMWATER POLLUTION PREVENTION PLAN

ANNUAL COMPREHENSIVE COMPLIANCE REVISION OF THE SWP3

Revise the SWP3 to include and address the findings of the Site Compliance Evaluation Report within 12 weeks following the completion of the report. Revisions must include all applicable changes that result from the report and all applicable updates. All reports and certification shall be signed by an authorized individual and in the manner required by Title 30 TAC §305.128 (relating to Signatories to Reports). The SWP3 must be signed and certified by an authorized representative of the facility. Without a signature from an authorized facility representative, the SWP3 in considered non-compliant with the MSGP permit.

REVISION OF THE SWP3			
Element	**SWP3 Updated?**		
	Yes	**No**	**N/A**
Are there any additional elements (e.g. structural controls or BMPs) that should be added or modified for the prevention of pollution?			
Controls (e.g. structural controls or BMPs) that should be added or modified?			
Site map?			
Inventory of exposed materials?			
Description of good housekeeping measures?			
The description of structural and non-structural controls?			
Any other elements of the plan that were found to be inaccurate or that will be modified?			

Annual Comprehensive Compliance

Certification Statement: 30 TAC 305.128 "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 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 fines and imprisonment for knowing violations."

Signature: _____ **Date:** _____

PART 6
COPY OF TPDES GENERAL PERMIT TXR050000

NOTE: Due to the length of the General Permit, only Sections I through IV (Pages 1 - 73) were printed in their entirety. Only the portions pertaining to Wastewater Plants (Pages 132 - 134) was printed from Section V.

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. TXR050000, issued August 14, 2006.

Facilities that discharge storm water associated with industrial activity

located in the state of Texas

may discharge to surface water in the state

only according to effluent limitations, monitoring requirements and other conditions set forth in this general permit, as well as the rules of the Texas Commission on Environmental Quality (TCEQ) , the laws of the State of Texas, and other orders of the Commission of the TCEQ (Commission). The issuance of this general permit does not grant to the permittee(s) the right to use private or public property for conveyance of wastewater 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(s) to acquire property rights as may be necessary to use the discharge route.

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

EFFECTIVE DATE: August 14, 2011

ISSUED DATE: JUL 22 2011

Bryan W. Shaw

For the Commission

Table of Contents

Part I. DEFINITIONS

All definitions in the Texas Water Code §26.001 and Title 30 Texas Administrative Code Chapter 305 apply to this permit and are incorporated by reference. Some specific definitions of words or phrases used in this permit are as follows:

Arid Areas. Areas with an average annual rainfall of less than ten (10) inches.

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

Co-located Industrial Activities. Industrial activities conducted at a facility that are described by two or more SIC codes listed in this general permit.

Co-located Industrial Facilities. Industrial facilities, having different operators, that are located on a common property or adjoining property and that conduct industrial activities described by one or more sectors of this general permit.

Composite Sample. A sample made up of a minimum of three effluent portions collected in a continuous 24-hour period or during the period of daily discharge if less than 24 hours, combined in volumes proportional to flow, and collected at the intervals required by 30 TAC §319.9 (b).

Constituent of Concern. For the purpose of this permit, a pollutant that is identified in the Clean Water Act §303(d) List as a cause of impairment for a water body.

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.

> **Small Construction Activity** is construction activity that results 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.
>
> **Large Construction Activity** is construction activity that results 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.

Control Measure. Any BMP or other method (including effluent limitations) used to prevent or reduce the discharge of pollutants to water in the state.

Daily Average Concentration. The arithmetic average of all effluent samples, composite or grab as required by this permit, within a period of one calendar month, consisting of at least four separate representative measurements. When four samples are not available in a calendar month, the arithmetic average (weighted by flow) of all values taken during the month must be used as the daily average concentration.

Daily Maximum Concentration. The maximum concentration measured on a single day, as determined by laboratory analysis of a grab sample or a composite sample.

Diffuse Point Source. A conveyance from which pollutants are or may be discharged that results from grading land for the purpose of adding parking lots, roads, and buildings so as to collect and convey storm water off-site to prevent flooding (i.e. without a single point of origin or not introduced into a receiving stream from a specific outlet). Diffuse point sources include any identifiable conveyance from which pollutants might enter surface water in the state. By changing the surface or establishing grading patterns of the land, runoff is conveyed along the resulting drainage or grading patterns. A diffuse point source is not true sheet flow.

Discharge. For the purpose of this permit, the drainage, release, or disposal of storm water associated with industrial activity and certain allowable non-storm water sources listed in this general permit to surface water in the state.

Drought. For the purpose of this permit, an extended period of no precipitation in which a storm water discharge does not occur during a monitoring or reporting period.

Edwards Aquifer. As defined under 30 Texas Administrative Code §213.3 (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 TCEQ and the appropriate underground water conservation district.

Existing Discharge. For the purpose of this permit, this term applies to the discharge of storm water associated with industrial activity and certain allowable non-storm water sources listed in this general permit that has been authorized previously under an NPDES or TPDES general or individual permit.

Facility. For the purpose of this permit, all contiguous land and fixtures (including ponds and lagoons), structures, or appurtenances used at an industrial facility described by one or more of Sectors A through AD of this general permit.

Grab Sample. An individual sample collected in less than 15 minutes.

General Permit. A permit issued to authorize the discharge of waste into or adjacent to water in the state for one or more categories of waste discharge within a geographical area of the state or the entire state as provided by Texas Water Code §26.040.

Hyperchlorinated Water. Water resulting from hyperchlorination of waterlines or vessels, with a chlorine concentration greater than 10 milligrams per liter (mg/l).

Hyperchlorination of Waterlines or Vessels. 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 Clean Water Act §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.

Inactive Industrial Facilities. A facility where all industrial activities that are described in Part II, Section A.1.of this permit are suspended, and authorization under this general permit is required to be maintained. Also see sector-specific definitions for Inactive facilities in Part V, Sections G, H, J, and L of this general permit.

Industrial Activity. Any of the ten (10) categories of industrial activities included in the definition of "storm water discharges associated with industrial activity" as defined in 40 CFR §122.26(b)(14)(i)-(ix) and (xi).

Inland Waters. All surface water in the state other than those defined as tidal waters.

Municipal Separate Storm Sewer System (MS4). A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

(a) owned or operated by the United States , a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to state law) having jurisdiction over the disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under CWA §208 that discharges to surface water in the state;

(b) that is designed or used for collecting or conveying storm water;

(c) that is not a combined sewer; and

(d) that is not part of a publicly owned treatment works (POTW) as defined in 40 CFR §122.2.

National Pollutant Discharge Elimination System (NPDES) (from 40 CFR §122.2). The national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under CWA §§307, 402, 318, and 405. The term includes an "approved program."

New Discharge. For the purpose of this permit, this term applies to the discharge of storm water associated with industrial activity that did not commence prior to August 13, 1979, that is not a new source, and that has never received an NPDES or TPDES water quality permit for the storm water discharge from the site. See 40 CFR §122.2.

Non-structural Controls. Pollution prevention methods that are not physically constructed, including best management practices used to prevent or reduce the discharge of pollutants.

No Exposure. A condition at an industrial facility where all industrial activities are conducted indoors or protected in a manner to prevent exposure of those activities to rain, snow, snowmelt, or runoff.

No Exposure Certification (NEC). A written submission to the executive director from an applicant notifying that they intend to obtain a conditional exclusion from permit requirements by certifying that there is no exposure of industrial materials or activities to rain, snow, snowmelt, or storm water runoff.

Notice of Change (NOC). Written notification from the permittee to the executive director providing changes to information that was previously provided to the agency in a notice of intent or no exposure certification (NEC) 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. A person responsible for the management of an industrial facility subject to the provisions of this general permit. Industrial facility operators include entities with operational control over industrial activities, including the ability to modify those activities; or entities with day-to-day operational control of activities at a facility necessary to ensure compliance with the permit (e.g., the entity is authorized to direct workers at a facility to carry out activities required by the permit).

Outfall. For the purpose of this permit, a point source at the point where storm water runoff associated with industrial activity, and certain non-storm water discharges listed in this permit, exits the facility and discharge(s) to surface water in the state or a municipal or private separate storm sewer system. An outfall from a diffuse point source includes the point or points where the diffuse point source discharges to surface water in the state or a municipal or private separate storm sewer system.

Permittee. An operator authorized under this general permit to discharge storm water runoff associated with industrial activity and certain non-storm water discharges to surface water in the state.

Point Source. Any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff. For the purpose of this permit, a point source includes any identifiable conveyance from which pollutants might enter surface water in the state, including a diffuse point source as defined in this section.

Pollutant. (from Texas Water Code, §26.001(13)) 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 water in the state. The term: (A) includes: (i) tail water or runoff water from irrigation associated with an animal feeding operation or concentrated animal feeding operation that is located in a major sole source impairment zone as defined by Texas Water Code (TWC) §26.502; or (ii) rainwater runoff from the confinement area of an animal feeding operation or concentrated animal feeding operation that is located in a major sole source impairment zone, as defined by TWC §26.502; and (B) does not include tail water or runoff water from irrigation or rainwater runoff from other cultivated or uncultivated rangeland, pastureland, and farmland or rainwater runoff from an area of land located in a major sole source impairment zone, as defined by TWC §26.502, that is not owned or controlled by an operator of an animal feeding operation or concentrated animal feeding operation on which agricultural waste is applied.

Qualified Personnel. A person or persons who are knowledgeable of the requirements of this general permit, familiar with the industrial facility, knowledgeable of the storm water pollution prevention plan (SWP3) at the industrial facility, able to assess conditions and activities that could impact storm water quality at the facility, and able to evaluate the effectiveness of control measures.

Reportable Quantity Spill or Release. A discharge or spill of oil, petroleum product, used oil, industrial solid waste, hazardous substances including mixtures, streams, or solutions, or other substances into the environment in a quantity equal to or greater than the reportable quantity listed in 30 TAC §327.4 (relating to Reportable Quantities) in any 24-hour period and subject to 30 TAC §327.3 (relating to Notification Requirements).

Semiarid Areas. Areas with an average annual rainfall of at least ten (10) inches but less than 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 storm water; that is not a combined sewer, and that is not part of a publicly owned treatment works (POTW).

Sheet Flow. An overland flow or downslope movement of water taking the form of a thin, continuous film over relatively smooth soil or rock surfaces that have not been changed or graded, where there are no defined channels, and the flood water spreads out over a large area at a uniform depth. This definition does not include changing the surface of land or establishing grading patterns on land where a facility described in this permit is located, which would result in a point source as defined in this permit.

Significant Materials. Including, but not limited to: raw materials; fuels; materials (e.g., solvents, detergents, and plastic pellets); final products that are not designed for outdoor use; raw materials that are used for food processing or production; hazardous substances designated under CERCLA §101(14) of; any chemical the operator is required to report pursuant to Emergency Planning & Community Right-To-Know Act (EPCRA) §313, also known as Title III of Superfund Amendments and Reauthorization Act (SARA); fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with storm water discharges.

Standard Industrial Classification (SIC) Code. A four (4) digit code created by the U.S. Office of Management & Budget for statistical classification purposes that describes an industrial activity that takes place at a facility or site. It is possible for a facility or site to have multiple SIC codes depending on the varying activities that take place.

> **Primary SIC Code - (also known as "Site SIC Code" or "Facility SIC Code").** For the purpose of this permit, an SIC code that describes the principal product or group of products produced or distributed at a facility, or that describes services rendered. The primary SIC code may be determined based on the value of receipts or revenues or, if such information is not available for a particular facility, the number of employees or production rate for each process may be compared. The operation that generates the most revenue or employs the most personnel is the operation in which the facility is primarily engaged. In situations where the vast majority of on-site activity falls within one SIC code, that activity may be the primary SIC code.
>
> **Secondary SIC Code**. For the purpose of this permit an SIC code that describes an industrial activity that is performed at a regulated facility or site that is in addition to the primary SIC code. Determining the secondary industrial activity that occurs at a facility or site is accomplished by using the same criteria as determining the primary industrial activity at the facility (e.g., production value, receipts, employment).

Storm Resistant Shelter. A building or structure that is completely roofed and walled, or a structure with only a top cover but no side coverings, provided that any material or industrial activity located under or within the structure is not subject to any run-on and subsequent runoff of storm water, or mobilization by wind.

Storm Water and Storm Water Runoff. Rainfall runoff, snow melt runoff, and surface runoff and drainage.

Storm Water Discharge Associated with Industrial Activity. The discharge from any conveyance that is used for collecting and conveying storm water and that is directly related to manufacturing, processing or raw materials storage areas at an industrial facility. For the purpose of this general permit, the term includes, but is not limited to, storm water discharges from industrial plant yards; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; material handling areas; refuse/waste disposal areas; sites used for the application or disposal of process waste waters; sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms), intermediate products, and final products; similar areas where storm water can contact pollutants related to industrial activity; and areas where industrial activity have taken place in the past and significant materials remain and are exposed to storm water. For the purposes of this definition, materials handling areas include storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product, by-product or waste product. The term excludes areas located at industrial sites that are separate from the facility's industrial activities, such as office buildings and accompanying parking lots, as long as the drainage from the excluded areas is not mixed with storm water drained from areas of a facility that are covered by this general permit. This term includes discharges from facilities described under this general permit that are operated by federal, state, or municipal entities. For the complete regulatory definition, including the categories of industrial activity, see 40 CFR §122.26(b)(14).

Structural Controls. Physical or constructed features, such as silt fencing, sediment traps, and detention/retention ponds that prevent or reduce the discharge of pollutants.

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 (MHWM) 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 that are authorized by state or federal law, regulation, or permit, and that are created for the purpose of waste treatment are not considered to be water in the state.

Texas Pollutant Discharge Elimination System (TPDES). The state program for issuing, amending, terminating, monitoring, and enforcing permits, and imposing and enforcing pretreatment requirements, under the Clean Water Act §§ 307, 402, 318 and 405, Texas Water Code, and Texas Administrative Code regulations.

Tidal Waters. Those waters of the Gulf of Mexico within the jurisdiction of the State of Texas, bays and estuaries, and those portions of rivers and streams that are subject to the ebb and flow of the tides and that are subject to the intrusion of marine waters.

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.

Waters of the United States (from 40 Code of Federal Regulations §122.2). Waters of the United States or waters of the U.S. means:

(a) all waters that are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters that 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) that 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) that 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 the Clean Water Act (CWA) (other than cooling ponds as defined in 40 CFR §423.11(m) that also meet the criteria of this definition) are not waters of the United States. This exclusion applies only to manmade bodies of water that neither were originally created in waters of the United States (such as disposal area in wetlands) nor resulted from the impoundment of waters of the United States. [See Note 1 of this section.] Waters of the United States 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 Clean Water Act, the final authority regarding Clean Water Act jurisdiction remains with EPA.

Part II. PERMIT APPLICABILITY AND COVERAGE

This general permit provides authorization for point source discharges of storm water associated with industrial activity and certain non-storm water discharges to surface water in the state (including direct discharges to surface water in the state and discharges to municipal separate storm sewer systems, or MS4s). The permit contains effluent limitations and requirements applicable to all industrial activities that are eligible for coverage under this general permit. Industrial activities are subdivided into 30 industrial sectors.

This permit does not cover return flows from irrigated agriculture or agricultural storm water runoff.

Section A. Discharges Eligible for Authorization by General Permit

1. Industrial Activities Covered

(a) Need for a Permit. If any of the following criteria are met, a facility must have authorization for storm water discharges and may obtain authorization under this general permit, if coverage is not otherwise prohibited:

(1) The Standard Industrial Classification (SIC) code that describes the facility (i.e., the primary SIC code) is listed in Part II, Section A.1.b. below and in Part V of this general permit; or

(2) The facility conducts an activity described by one or more Industrial Activity Codes described in Sectors K, L, O, or T (as listed in Part II, Section A.1.b. below and in Part V., Sections K, L, O, and T of this general permit); or

(3) Storm water discharges from the facility are subject to federal categorical effluent limitations for storm water in Title 40 Code of Federal Regulations (CFR) Subchapter N Parts 400-471 (See Sectors A, C, D, E, H, J, and O in Part V of this general permit), or

(4) The facility has been designated by the executive director as requiring coverage under Sector AD.

The requirements for publicly-owned facilities are further described below in Part II, Section A.5. of this general permit.

(b) Regulated SIC Codes and Industrial Activity Codes (Industrial Sectors)

Industrial activities are grouped into 30 sectors of similar activities based on either SIC codes or Industrial Activity Codes. These sectors are further divided into sub-sectors and further defined by SIC codes in Part V of this general permit.

SECTOR A: TIMBER PRODUCTS

SIC Codes	*Description of Industry Sub-sector*
2411	Log Storage and Handling (without the use of chemical additives in spray water or applied to the logs)
2421	General Sawmills and Planning Mills
2426	Hardwood Dimension and Flooring Mills
2429	Special Product Sawmills, Not Elsewhere Classified

2431 – 2439	(except 2434) -Millwork, Veneer, Plywood, and Structural Wood (SIC Code 2434 - Wood Kitchen Cabinets, see Sector W)
2441 - 2449	Wood Containers
2451, 2452	Wood Buildings and Mobile Homes
2491	Wood Preserving
2493	Reconstituted Wood Products
2499	Wood Products Not Elsewhere Classified

SECTOR B: PAPER AND ALLIED PRODUCTS

SIC Codes	*Description of Industry Sub-sector*
2611	Pulp Mills
2621	Paper Mills
2631	Paperboard Mills
2652 – 2657	Paperboard Containers and Boxes
2671 – 2679	Converted Paper and Paperboard Products, Including Plastic Bags Produced from Plastics Film

SECTOR C: CHEMICAL AND ALLIED PRODUCTS

SIC Codes	*Description of Industry Sub-sector*
2812 – 2819	Basic Industrial Inorganic Chemicals
2821 – 2824	Plastic Materials, Synthetic Resins, Non-vulcanizable Elastomers (Synthetic Rubber), Cellulose Plastics Materials, and Other Manmade Fibers Except Glass
2833 – 2836	Medicinal Chemicals and Botanical Products, Pharmaceutical Preparations, In Vitro and In Vivo Diagnostic Substances, Biological Products (Except Diagnostic Substances)
2841 – 2844	Soaps and Detergents; Specialty Cleaning, Polishing, and Sanitation Preparations, Surface Active Agents, Finishing Agents, Sulfonated Oils, and Assistants, Perfumes, Cosmetics, and Other Toilet Preparations
2851	Paints, Varnishes, Lacquers, Enamels, and Allied Products
2861 – 2869	Industrial Organic Chemicals
2873 – 2879	Agricultural Chemicals (Including Fertilizers, Pesticides, Fertilizers Solely from Leather Scraps and Leather Dust, and Mixing of Fertilizers, Compost, and Potting Soils)
2891 – 2899	Miscellaneous Chemical Products (Including Adhesives and Sealants, Explosives, Printing Ink, and Carbon Black)
2911	Petroleum Refineries
3952	(Limited to List)-Inks and Paints, including: China Painting Enamels, India Ink, Drawing Ink, Platinum Paints for Burnt Wood or Leather Work, Paints for China Painting; Artist's Paints, and Artist's Watercolors

SECTOR D: ASPHALT PAVING AND ROOFING MATERIALS AND LUBRICANTS

SIC Codes	*Description of Industry Sub-sector*
2951, 2952	Asphalt Paving and Roofing Materials, Portable Asphalt Plants
2992, 2999	Miscellaneous Products of Petroleum and Coal Including Lubricating Oils and Greases

SECTOR E: GLASS, CLAY, CEMENT, CONCRETE, AND GYPSUM PRODUCTS

SIC Codes	*Description of Industry Sub-sector*
3211	Flat Glass
3221, 3229	Glass and Glassware, Pressed or Blown
3231	Glass Products Made of Purchased Glass
3241	Hydraulic Cement
3251 – 3259	Structural Clay Products
3261	Vitreous China Plumbing Fixtures and China Earthenware Fittings and Bathroom Accessories
3262 – 3269	Pottery and Related Products
3271 – 3275	Concrete, Lime, Gypsum and Plaster Products (includes Ready-Mix Concrete Plants)
3281	Cut Stone and Stone Products
3291	Abrasive Products
3292	Asbestos Products
3295	Minerals and Earths, Ground or Otherwise Treated
3296	Mineral Wool
3297	Non-Clay Refractories
3299	Nonmetallic Mineral Products, Not Elsewhere Classified

SECTOR F: PRIMARY METALS

SIC Codes	*Descriptions of Industry Sub-sector*
3312 – 3317	Steel Works, Blast Furnaces, and Rolling and Finishing Mills
3321 – 3325	Iron and Steel Foundries
3331 – 3339	Primary Smelting and Refining of Nonferrous Metals
3341	Secondary Smelting and Refining of Nonferrous Metals
3351 – 3357	Rolling, Drawing, and Extruding of Nonferrous Metals
3363 – 3369	Nonferrous Foundries (Castings)
3398, 3399	Miscellaneous Primary Metal Products

SECTOR G: METAL MINING (ORE MINING AND DRESSING)

SIC Codes	*Descriptions of Industry Sub-sector*
1011	Iron Ores
1021	Copper Ores
1031	Lead and Zinc Ores
1041, 1044	Gold and Silver Ores
1061	Ferro alloy Ores, Except Vanadium
1081	Metal Mining Services
1094, 1099	Miscellaneous Metal Ores

SECTOR H: COAL MINES AND COAL MINING RELATED FACILITIES

SIC Codes	*Description of Industry Sub-sector*
1221	Bituminous Coal and Lignite Surface Mining
1222	Bituminous Coal Underground Mining
1231	Anthracite Mining
1241	Coal Mining Services

SECTOR I: OIL AND GAS EXTRACTION FACILITIES

SIC Codes	*Description of Industry Sub-sector*
Industrial Activities Regulated under the EPA's NPDES Program:	
1311	Crude Petroleum and Natural Gas
1321	Natural Gas Liquids
1381, 1382	Drilling Oil and Gas Wells; and Oil and Gas Field Exploration Services
1389	Oil and Gas Field Services, Not Elsewhere Classified, that occur in the field
Industrial Activities Regulated under this General Permit:	
1389	Oil and Gas Field Services, Not Elsewhere Classified, that occur at a company headquarters, permanent offices, or base of operations.

SECTOR J: MINERAL MINING AND PROCESSING FACILITIES

SIC Codes	*Description of Industry Sub-sector*
1411	Dimension Stone
1422 – 1429	Crushed and Broken Stone, Including Rip Rap
1442, 1446	Sand and Gravel Mining
1455, 1459	Clay, Ceramic, and Refractory Materials
1474 – 1479	Chemical and Fertilizer Mineral Mining
1481	Nonmetallic Minerals, Except Fuels
1499	Miscellaneous Nonmetallic Minerals, Except Fuels

SECTOR K: HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES

Activity Codes and Description of Industry Sub-sector

HZ Hazardous Waste Treatment, Storage, and Disposal Facilities

SECTOR L: LANDFILLS AND LAND APPLICATION SITES

Activity Codes and Description of Industry Sub-sector

LF -Landfills, Land Application Sites, and Open Dumps that Receive or Have Previously Received Industrial Waste, including sites subject to regulation under Subtitle D of the Resource Conservation and Recovery Act (RCRA).

SECTOR M: AUTOMOBILE SALVAGE YARDS

SIC Codes	*Description of Industry Sub-sector*
5015	Automobile Salvage Yards

SECTOR N: SCRAP AND WASTE RECYCLING FACILITIES

SIC Codes	*Description of Industry Sub-sector*
5093	Scrap and Waste Recycling Facilities (e.g., metals, paper, plastic, cardboard, glass, animal hides, used oil, antifreeze, mineral spirits, industrial solvents, computers, electronics, and other materials listed in the SIC Code Manual Under SIC 5093)

SECTOR O: STEAM ELECTRIC GENERATING FACILITIES

Activity Code and Description of Industry Sub-sector

SE - Steam Electric Power Generating Facilities

SECTOR P: LAND TRANSPORTATION AND WAREHOUSING

SIC Codes	*Description of Industry Sub-sector*
4011, 4013	Railroad Transportation
4111 – 4173	Local and Highway Passenger Transportation
4212 – 4215	Trucking and Courier Services, Except Air
4221, 4222	Farm Product Warehousing and Storage; and Refrigerated Warehousing and Storage
4225	General Warehousing and Storage
4226	Special Warehousing and Storage, Not Elsewhere Classified
4231	Terminal and Joint Terminal Maintenance Facilities for Motor Freight Transportation
4311	United States Postal Service
5171	Petroleum Bulk Stations and Terminals

SECTOR Q: WATER TRANSPORTATION

SIC Codes	*Description of Industry Sub-sector*
4412 – 4499	Water Transportation

SECTOR R: SHIP AND BOAT BUILDING OR REPAIRING YARDS

SIC Codes	*Description of Industry Sub-sector*
3731, 3732	Ship and Boat Building or Repairing Yards

SECTOR S: AIR TRANSPORTATION

SIC Codes	*Description of Industry Sub-sector*
4512	Air Transportation, Scheduled
4513	Air Courier Services
4522	Air Transportation, Nonscheduled
4581	Airports, Flying Fields, and Airport Terminal Services, including aircraft maintenance and fueling

SECTOR T: TREATMENT WORKS

Activity Codes and Description of Industry Sub-sector	
TW	Certain Wastewater Treatment Plants

SECTOR U: FOOD AND KINDRED PRODUCTS FACILITIES

SIC Codes	*Description of Industry Sub-sector*
2011 – 2015	Meat Products
2021 – 2026	Dairy Products
2032 - 2038	Canned, Frozen and Preserved Fruits, Vegetables and Food Specialties
2041 - 2048	Grain Mill Products
2051 - 2053	Bakery Products
2061 - 2068	Sugar and Confectionery Products
2074 - 2079	Fats and Oils
2082 - 2087	Beverages
2091 - 2099	Miscellaneous Food Preparations and Kindred Products
2111 - 2141	Tobacco Products

SECTOR V: TEXTILE MILLS, APPAREL, AND OTHER FABRIC PRODUCT MANUFACTURING FACILITIES

SIC Codes	*Description of Industry Sub-sector*
2211 – 2299	Textile Mill Products
2311 – 2399	Apparel and Other Finished Products Made From Fabrics and Similar Materials

3131 – 3199	Leather and Leather Products, except Leather Tanning and Finishing (See Sector Z)

SECTOR W: FURNITURE AND FIXTURES

SIC Codes	*Description of Industry Sub-sector*
2434	Wood Kitchen Cabinets
2511 – 2599	Furniture and Fixtures

SECTOR X: PRINTING AND PUBLISHING

SIC Codes	*Description of Industry Sub-sector*
2711 – 2796	Printing, Publishing, and Allied Industries

SECTOR Y: RUBBER, MISCELLANEOUS PLASTIC PRODUCTS, AND MISCELLANEOUS MANUFACTURING FACILITIES

SIC Codes	*Description of Industry Sub-sector*
3011	Tires and Inner Tubes
3021	Rubber and Plastics Footwear
3052, 3053	Gaskets, Packing, and Sealing Devices and Rubber and Plastics Hose and Belting
3061, 3069	Fabricated Rubber Products, Not Elsewhere Classified
3081 – 3089	Miscellaneous Plastics Products
3931	Musical Instruments
3942 – 3949	Dolls, Toys, Games and Sporting and Athletic Goods
3951 – 3955,	except 3952 (see Sector C) - Pens, Pencils, and Other Artists' Materials (except certain inks and paints as specified in Sector C)
3961, 3965	Costume Jewelry, Costume Novelties, Buttons, and Miscellaneous Notions, Except Precious Metal
3991 – 3999	Miscellaneous Manufacturing Industries

SECTOR Z: LEATHER TANNING AND FINISHING

SIC Codes	*Description of Industry Sub-sector*
3111	Leather Tanning and Finishing

SECTOR AA: FABRICATED METAL PRODUCTS FACILITIES

SIC Code	*Description of Industry Sub-sector*
3411 – 3499	Fabricated Metal Products, Except Machinery and Transportation Equipment
3911 – 3915	Jewelry, Silverware, and Plated Ware

SECTOR AB: TRANSPORTATION EQUIPMENT, INDUSTRIAL OR COMMERCIAL MACHINERY MANUFACTURING FACILITIES

SIC Codes	*Description of Industry Sub-sector*

3511 – 3599, except 3571 – 3579 (see Sector AC) - Industrial and Commercial Machinery, except Computer and Office Equipment (see Sector AC)

3711 – 3799, except 3731, 3732 (see Sector R) - Transportation Equipment,except Ship and Boat Building and Repairing (see Sector R)

SECTOR AC: ELECTRONIC, ELECTRICAL, PHOTOGRAPHIC, AND OPTICAL GOODS

SIC Codes	*Description of Industry Sub-sector*
3571 – 3579	Computer and Office Equipment
3612 – 3699	Electronic, Electrical Equipment and Components, except Computer Equipment
3812 – 3873	Measuring, Analyzing and Controlling Instrument; Photographic and Optical Goods

SECTOR AD: MISCELLANEOUS INDUSTRIAL ACTIVITIES

Activity Codes and Description of Industry Sub-sector

Limited to facilities that are designated by the executive director as needing a permit to control pollution related to storm water discharges and that do not meet the description of an industrial activity covered by Sectors A-AC

2. Miscellaneous Industrial Activities

Sector AD is used to provide permit coverage for facilities that are designated by the executive director as needing a permit to control pollution related to storm water discharges and do not meet the description of an industrial activity covered by Sectors A through AC. A facility that is not otherwise listed in Part V of this general permit is not eligible to apply for coverage under Sector AD, unless directed to do so in writing by the executive director.

3. Co-located Industrial Activities

A facility operator is required to either obtain authorization under this general permit, under an individual TPDES storm water permit, or under an alternative general permit if the facility meets one or more of the criteria listed in Part II, Section A.1.(a) above. If these facilities have additional activities that are described by a secondary SIC code that is listed in the table above, then these additional activities are described as co-located industrial activities. Storm water discharges from co-located industrial activities may be authorized under this general permit provided that the operator complies with all of the sector specific requirements defined in Part V of this general permit for each of these co-located activities. The sector specific requirements apply only to the portion of the facility where that specific sector of activity occurs, except where runoff from different activities combines before leaving the property. In cases where these discharges combine, the monitoring requirements and effluent limitations from each sector that contributes runoff to the discharge must be met.

4. Co-located Industrial Facilities

A facility operator is required to either obtain authorization under this general permit, under an individual TPDES storm water permit, or under an alternative general permit if the facility meets one or more of the criteria in Part II, Section A.1.(a) above. Multiple industrial facilities may be described as "co-located" if they share a common property

boundary. If authorization under this general permit is sought, the operator of each of co-located facility must individually obtain authorization to discharge under this general permit.

Each co-located facility will be issued a distinct authorization number. Each co-located industrial facility operator may either develop a separate storm water pollution prevention plan (SWP3 or plan), or may participate in a shared SWP3. Co-located industrial facilities that develop a shared SWP3 must develop the SWP3 to meet the requirements stated in Parts III and V of this general permit, in addition to the following:

(a) Participants. The SWP3 must clearly list the name and authorization number (when known) for each facility that participates in the shared SWP3. Each participant in the shared plan must sign the SWP3 according to 30 TAC §305.128 (relating to Signatories to Reports.)

(b) Responsibilities. The SWP3 must clearly indicate which permittee is responsible for performing each shared element of the SWP3. If the responsibility for performing an element is not described in the plan, then each permittee is entirely responsible for performing the element within the boundaries of its facility and in any common or shared area. The SWP3 must clearly describe responsibilities for meeting each element in shared or common areas.

(c) Site Map. The site map must clearly delineate the boundaries around each co-located industrial facility and the boundaries around shared or common areas that are used by two or more facilities.

Co-located facilities may alternatively obtain a conditional exclusion based on no-exposure, in accordance with Part II, Section C. of this general permit, if applicable.

5. Requirements for Military Installations and Other Publicly-Owned Facilities

(a) Storm water discharges from military or other public installations or institutions that conduct any industrial activities described by an SIC code or an industrial activity code that is listed in Part II, Section A.1. and Part V of this general permit, or that otherwise meet the conditions described in Part II, Section A.1.(a) relating to the need for a permit, must either be authorized under this general permit, an individual TPDES storm water permit, or an alternative general permit. For example, the SIC code of military installations is 9711 and the SC code for universities is 8821, neither of which are listed in this general permit; however, the need for a permit will be based on individual activities that occur at the installation.

(b) Other publicly operated facilities (i.e., stand-alone facilities) that conduct activities described under Part II, Section A.1. of this general permit must meet the conditions of the general permit for those regulated activities. For example, a city-operated landfill would be described by industrial activity code LF and would need a permit, and a county-operated bus maintenance facility would fall under SIC Code 4111 or 4173 and would also need a permit. However, the general vehicle maintenance shop for a city's motor pool would not typically be regulated unless the vehicles being maintained would classify the maintenance yard under an SIC code in the 4100 or 4200 series (for example if the city motor pool also maintains the city's public transportation busses and the yard performs at least 50% of its maintenance activities on the city's public transportation busses).

6. Non-Storm Water Discharges

Industrial facilities that qualify for coverage under this general permit may discharge the following non-storm water discharges through outfalls identified in the SWP3, according to the requirements of this general permit:

(a) discharges from emergency fire fighting activities and 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);

(b) potable water sources (excluding discharges of hyperchlorinated water, unless the water is first dechlorinated and discharges are not expected to adversely affect aquatic life);

(c) lawn watering and similar irrigation drainage, provided that all pesticides, herbicides, and fertilizer have been applied in accordance with the approved labeling;

(d) water from the routine external washing of buildings, conducted without the use of detergents or other chemicals;

(e) water from the routine washing of pavement conducted without the use of detergents or other chemicals and where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed);

(f) uncontaminated air conditioner condensate, compressor condensate, and steam condensate, and condensate from the outside storage of refrigerated gases or liquids;

(g) water from foundation or footing drains where flows are not contaminated with pollutants (e.g., process materials, solvents, and other pollutants);

(h) uncontaminated water used for dust suppression;

(i) springs and other uncontaminated ground water;

(j) incidental windblown mist from cooling towers that collects on rooftops or adjacent portions of the facility, but excluding intentional discharges from the cooling tower (e.g., "piped" cooling tower blowdown or drains); and

(k) other discharges described in Part V of this permit that are subject to effluent guidelines and effluent limitations.

Section B. Limitations on Permit Coverage

1. Suspension or Revocation of Permit Coverage

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 shall furnish to the executive director, upon request, any information necessary for the executive director to determine whether cause exists for revoking, suspending, or terminating authorization under this permit. Additionally, the permittee shall provide to the executive director, upon request, copies of all records that the permittee is required to maintain as a condition of the permit.

Failure to comply with any permit condition is a violation of the permit and the statutes under which it was issued, and is grounds for enforcement action, revoking coverage under this general permit, or requiring the permittee to apply for and obtain an individual TPDES permit or alternative general permit.

2. Discharges Authorized by Another TPDES Permit

Discharges authorized by an individual TPDES permit or another general TPDES permit may only be authorized under this TPDES general permit if all of the following conditions are met:

(a) the discharges meet the applicability and eligibility requirements for coverage under this general permit;

(b) the individual or alternative general permit does not contain numeric water quality-based effluent limitations for the discharge (unless industrial activities that resulted in the limitations have ceased and any contamination that resulted in these limitations has been removed or remediated);

(c) specific best management practice (BMP) requirements of the current individual permit are continued as a provision of the SWP3;

(d) the executive director has not determined that continued coverage under an individual permit is required based on consideration of a TMDL model, anti-backsliding policy, history of substantive non-compliance or other considerations and requirements of 30 TAC Chapter 205, or other site-specific considerations; and

(e) a previous application or permit for the discharges was not denied, terminated, or revoked by the executive director as a result of enforcement or water quality related concerns. The executive director may provide a waiver to this provision based on new circumstances at the facility or if the operations of the facility are the responsibility of a new operator.

3. Storm Water Discharges from Construction Activity

Storm water discharges associated with construction activities are not eligible for authorization under this general permit. Discharges of storm water that are regulated under this permit and that combine with storm water from construction activities are not eligible for coverage under this general permit unless the construction site runoff meets one of the following conditions:

(a) authorization is under a separate TPDES permit;

(b) authorization is under a separate National Pollutant Discharge Elimination System (NPDES) permit; or

(c) TPDES or NPDES permit coverage is not required.

4. Storm Water Discharges from Salt Storage Piles

Storm water that contacts salt storage piles (e.g., salt for deicing or other commercial or industrial purposes) may not be discharged to surface water in the state under authority of this general permit. Storm water that contacts salt storage piles must be discharged under the authority of an individual TPDES permit or alternative general permit, or must be captured within a containment structure. Storm water that contacts salt storage piles and is captured must either be disposed of in a manner that does not allow a discharge into or adjacent to water in the state, or in a manner otherwise approved by the executive director.

The permittee(s) shall prevent exposure of salt storage piles, or piles containing salt, used for deicing or other commercial or industrial purposes, including maintenance of paved surfaces. This material must be enclosed or covered. Appropriate BMPs (for example, good housekeeping, diversions, containment) must be implemented to minimize exposure resulting from adding to or removing materials from the pile(s).

5. Discharges of Storm Water Mixed with Non-Storm Water

Storm water discharges associated with industrial activity that combine with sources of non-storm water are not eligible for coverage by this general permit, unless either the non-storm water source is described in Part II, Section A.6. of this permit or the non-storm water source is authorized under a separate TPDES permit.

6. Compliance with Water Quality Standards

Discharges that would cause or contribute to a violation of water quality standards, or that would fail to protect and maintain existing designated uses of receiving waters are not eligible for coverage under this general permit. The executive director may require an application for an individual permit or alternative general permit to authorize discharges of storm water from any industrial facility that is determined to cause a violation of water quality standards or is found to cause, or contribute to, the loss of a designated use of receiving waters.

7. Impaired Water Bodies and Total Maximum Daily Load (TMDL) Requirements

Discharges of the constituent(s) of concern to impaired water bodies for which there is a total maximum daily load (TMDL) are not eligible for coverage under this permit unless they are consistent with the approved TMDL. Permittees must incorporate the limitations, conditions, and requirements applicable to their discharges, including monitoring frequency and reporting required by TCEQ rules, into their storm water pollution prevention plan in order to be eligible for permit coverage under this general permit.

(a) The permittee shall determine whether the permitted discharge is to an impaired water body listed in accordance with section 303(d)(1) of the federal Clean Water Act. A water body is impaired for purposes of this permit if it has been identified, pursuant to the latest TCEQ and EPA approved Clean Water Act Section 303(d) List, as not meeting Texas Surface Water Quality Standards.

(b) The permittee shall determine whether the discharge from the site is into an impaired water body with an approved TMDL.

(c) New Discharges to Water Quality Impaired Water Bodies

For a new discharge to an impaired water body, the permittee shall either:

(1) Prevent exposure to storm water of the pollutant(s) for which the water body is impaired (i.e., the pollutant(s) of concern), and retain on-site documentation of the preventive measures within the SWP3;

(2) Document that the pollutant(s) for which the water body is impaired is/are not present in the regulated industrial activity at the site, and retain documentation of this finding in the SWP3 (e.g., if the pollutant of concern is bacteria, but the only identifiable source of bacteria that is wildlife occurring on the property, then the bacteria levels could be considered "background" for the purposes of this permit requirement); or

(3) Obtain analytical data to support a showing that the discharge is not expected to cause or contribute to an exceedance of a water quality standard. The data and technical evaluation must demonstrate that the discharge of the pollutant of concern for which the water is impaired is below the level of concern (e.g. benchmark value). If the pollutant of concern is present above the level of concern,

the permittee must follow the requirements in Part II, Section B.7.(c)(3)e. below. Data and supporting technical information must be retained with the SWP3. The permittee shall use the following method to demonstrate this finding, unless an alternate method is authorized by the TCEQ in writing:

a. The permittee shall collect one or more representative sample(s) of storm water in accordance with Part III, Section D.2. of this general permit, and analyze the sample(s) for the pollutant of concern (e.g., hazardous metals, bacteria, nutrients, etc.).

   For example, if the pollutant of concern is bacteria, the permittee shall sample for *E. coli* if discharging to fresh water, and enterococci if discharging to salt water. If the impairment is due to low dissolved oxygen (DO), the permittee shall monitor for BOD, COD, or both, based on the nature of the industrial activity, or in accordance with guidance provided by the TCEQ (e.g., information may be sent in writing directly to the permittee on request, or may be available on the TCEQ's TPDES storm water web pages). If the impairment is due to nutrients, the permittee shall sample for total phosphorous if the discharge is to fresh water and for total nitrogen if the discharge is to salt water.

   If the impairment is due to a parameter for which there is not a clear analytical testing protocol (e.g., sediment, fish tissue, etc.), the permittee shall contact the TCEQ for guidance on which pollutant(s), if any, to monitor for, and the TCEQ will respond in writing to the permittee. This documentation must be retained in the SWP3.

b. If the facility operator is not able to collect a sample because the facility is not yet in operation, then the operator may submit an application to obtain coverage prior to sampling. The permittee shall collect the representative sample(s) from the first available discharge after commencing operation.

c. The permittee shall compare the analytical results with the benchmark monitoring levels in Table 1 of Part IV, Section A.1. of this permit. Where a benchmark result is not available, the permittee shall compare the results to the water quality criteria in 30 TAC Chapter 307, or to the minimum analytical level (MAL). The pollutant is not considered to be present within the discharge when not detected above the MAL. The pollutant is considered below the level of concern when sampling results are below benchmark levels, the applicable water quality criteria, or natural background levels.

d. If the first year sampling results indicate that the discharge is below the level of concern or is not present in the discharge, then no additional sampling for the pollutant of concern is required.

e. If sampling results indicate that the pollutant of concern is present in the discharge at a level of concern, then the permittee shall perform the following activities:

   (i) Monitor the discharge in accordance with Part III, Section B.4., "Water Quality Monitoring Requirements," and

   (ii) Revise the SWP3 to address controls that the permittee will utilize to reduce the discharge of the pollutant of concern.

(4) A new discharge is not eligible for coverage under this permit for discharges to waters designated by the Texas Surface Water Quality Standards as Tier 3.

(d) Existing Discharges to Impaired Water Bodies with an approved TMDL.

An existing discharge to an impaired water body with an approved TMDL may only be authorized under this general permit if the permittee complies with additional controls required by the TCEQ in the TMDL, the TMDL Implementation Plan, or as otherwise directed by the Executive Director in writing to the permittee.

If the TMDL or TMDL Implementation Plan does not identify monitoring requirements for the permittee, then additional monitoring is not required under Part III.B.4(a) and the permittee may still obtain authorization under this general permit.

(e) Existing Discharge to Water Quality Impaired Water Bodies without an approved TMDL. If the permittee discharges to an impaired water body without an approved TMDL, the permittee shall either:

(1) Prevent exposure to storm water of the pollutant(s) for which the water body is impaired (i.e., the pollutant(s) of concern), and retain on-site documentation of the preventive measures within the SWP3;

(2) Document that the pollutant(s) for which the water body is impaired is/are not present in the regulated industrial activity at the site, and retain documentation of this finding in the SWP3 (e.g., if the pollutant of concern is bacteria, but the only identifiable source of bacteria is wildlife occurring on the property, then the bacteria levels could be, for the purposes of this permit condition, considered "background" from a non-point source that is not regulated under this permit); or

(3) Obtain analytical data to support a showing that the discharge is not expected to cause or contribute to an exceedance of a water quality standard, using the steps in Paragraph II.B.7.(c)(3) above.

a. If the results indicate that the discharge is below the level of concern or is not present in the discharge, then no additional action is required.

b. If the results indicate that the pollutant of concern is present in the discharge at a level that may contribute to water quality impairment (e.g., a result that is above the benchmark level for a pollutant as described in Table 3 of Part IV, Section A.1. of this general permit), then the permittee shall implement an interim pollutant reduction plan (PRP) for the pollutant of concern. This PRP must be included in the SWP3 and must discuss the management practices and control measures that the permittee will implement to reduce, with the goal of eliminating, the discharge of pollutant(s) of concern that contribute to the impairment of the water body. The PRP must specifically identify control measures and practices that will collectively be used to try to eliminate the discharge of pollutant(s) of concern that contribute to the impairment of the water body and explain why these control measures and practices were chosen as opposed to other alternatives.

(4) Beginning upon the date that the permittee is authorized for coverage under this permit, the permittee may not establish a new or increased discharge potentially containing a pollutant of concern to an impaired water body unless there is no exposure of the pollutant of concern to storm water, the pollutant of concern is not present at the site nor in the discharge, or analytical data shows the pollutant of concern is not present at a level of concern as described in Part II, Sections B.7.(e)(1), (2), and (3) above. TCEQ may notify the permittee if additional control measures are necessary, or if an individual permit application is necessary.

8. Discharges to the Edwards Aquifer Recharge Zone

Discharges may not be authorized by this general permit where prohibited by 30 TAC Chapter 213 (relating to Edwards Aquifer).

(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, operators must meet all applicable requirements of, and operate according to, 30 TAC Chapter 213 (Edwards Aquifer Protection 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 under the Edwards Aquifer Rules are in addition to the requirements of this general permit. BMPs and maintenance schedules for structural storm water controls, for example, may be required as a provision of the rule. All applicable requirements of the Edwards Aquifer Protection Rule for reductions of suspended solids in storm water runoff are in addition to the effluent limitation requirements and benchmark goals in this general permit for this pollutant. A copy of the TCEQ approved Water Pollution Abatement Plan(s) that are required by the Edwards Aquifer Rule must be attached or referenced as a part of the SWP3.

(c) For discharges located within ten stream miles upstream of the Edwards Aquifer recharge zone, applicants shall also submit a copy of the NOI to the appropriate TCEQ regional office.

Counties: **Comal, Bexar, Medina, Uvalde, and Kinney**
Contact: TCEQ Water Program Manager
San Antonio Regional Office
14250 Judson Road
San Antonio, Texas 78233-4480
(210) 490-3096

Counties: **Williamson, Travis, and Hays**
Contact: TCEQ Water Program Manager
Austin Regional Office
2800 South IH 35, Suite 100
Austin, Texas 78704-5712
(512) 339-2929

9. Discharges to Specific Watersheds and Water Quality Areas

Discharges of storm water associated with industrial activity and other non-storm water discharges may not be authorized by this general permit where prohibited by 30 TAC Chapter 311 (relating to Watershed Protection) for water quality areas and watersheds.

10. Endangered Species Act

Discharges that would adversely affect a listed endangered or threatened species or its critical habitat are not authorized by this permit. Federal requirements related to endangered species apply to all TPDES permitted activities, and site-specific controls may be required to ensure that protection of endangered or threatened species is achieved

11. Protection of Streams and Watersheds by Home-Rule Municipalities

This general permit does not limit the authority of a home-rule municipality provided by the Texas Local Government Code §401.002.

12. Facilities with No Discharge to Surface Water in the State

A facility that does not discharge storm water to an MS4 nor to surface water in the state may not be required to obtain coverage under this general permit if the operator demonstrates that no discharges have occurred nor will occur in the future. The operator may be required to demonstrate, using engineering calculations or similar methods, that the facility will not discharge storm water associated with industrial activity.

Facilities that dispose of all storm water associated with industrial activity by any of the following practices would not be required to obtain coverage for the storm water under this general permit nor under an individual TPDES permit or alternative general permit:

(a) Recycling of the storm water with no resulting discharge into surface water in the state.

(b) Pumping and hauling of the storm water to an authorized disposal facility.

(c) Discharge of the storm water to a publicly-owned treatment works (POTW); however, this permit does not grant authorization to discharge into a POTW and the permittee would need to obtain authorization from the POTW operator to discharge storm water into the POTW.

(d) Underground injection of the storm water in accordance with 30 TAC Chapter 331.

(e) Discharge to above ground storage tanks with no resulting discharge into surface water in the state.

(f) Containment of all storm water within property boundaries, with no discharge into surface water in the state, including no discharge during, or as the result of, any storm event.

13. Automatic Authorization for Certain Industrial Activities

Operators of the following industrial activities are designated for coverage under this general permit, and are not required to prepare a SWP3, conduct analytical sampling, or submit an NOI for coverage nor an NEC form for a conditional exclusion based on no exposure. However, the facility operator must comply with all other requirements of Part III, Section E. of this general permit, related to Standard Permit Conditions; and must comply with Part II, Section C.1. of the permit related to maintaining "no exposure" of industrial activity to storm water.

(a) Operators of facilities described in Part V, Section P, related to General Warehousing and Storage (SIC 4225), that do not have areas for vehicle maintenance or equipment cleaning activities, provided that the requirements of Part V, Section P.2.c. are met.

(b) Operators of facilities described under Part V, Section X, that conduct publishing or design without printing, provided that the requirements of Part V, Section X.2. are met.

(c) Operators of small businesses who conduct a regulated activity described in Part II, Section A, where the entire industrial activity is performed in a residential home, a shopping mall, or an office building, and all of the requirements listed below are met:

(1) The industrial activity does not include the following industrial activity codes: HZ, LF, SE, or TW;

(2) The industrial activity is conducted in an area inside the operator's primary residence home structure itself or inside another fully enclosed building, located within the property boundaries of the operator's primary residence (e.g., a stand-alone garage);

(3) The regulated industrial activity is not exposed to storm water; and

(4) The facility operator complies with the requirements of Part III Section E. of this general permit, related to Standard Permit Conditions. However, the operator is not required to submit an NOI or an NEC form, conduct analytical monitoring for permit compliance, nor develop a SWP3.

The facility operator must apply for coverage if any of the requirements listed above are not met. If the TCEQ determines that additional controls are required other than those listed above, or if there is a concern regarding the discharge of elevated levels of pollutants, then the TCEQ may require a facility otherwise eligible for automatic authorization to obtain coverage and meet all permit conditions through submittal of an NOI or an individual permit application.

14. Transfer of Liability

This permit does not transfer liability for the act of discharging without, or in violation of, a NPDES or a TPDES permit from the operator of the discharge to the permittee(s).

15. Force Majeure

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 C. Obtaining Authorization to Discharge

1. Conditional No Exposure Exclusion from Permit Requirements

Facilities regulated under this general permit may be excluded from permit requirements if there is no exposure of industrial materials or activities from precipitation or runoff. To qualify for a no exposure exclusion from permit requirements, the operator of the facility must provide certification that industrial activities and materials are isolated from storm water by storm resistant shelters. The certification must be submitted to the TCEQ on a no exposure certification (NEC) form provided by the executive director, or using a format approved by the executive director. The facility is subject to inspection by authorized TCEQ personnel to determine compliance with the no exposure exclusion. Facilities that qualify for this exclusion and that contribute storm water discharges to a municipal separate storm sewer system (MS4) shall provide copies of the certification to the operator of the MS4.

(a) The following materials and activities are not required to be isolated from storm water and storm water runoff in order to meet the no exposure exclusion:

(1) drums, barrels, tanks, and similar containers that are tightly sealed, provided those containers are not deteriorated and do not leak ("Sealed" means banded or otherwise secured and with-out operational taps or valves);

(2) final products that are designed for outdoor use (e.g., new cars, outdoor play-sets, lawn equipment) provided the final products have not deteriorated or are otherwise a potential source of contaminants;

(3) pallets used to store or transport final products intended for outdoor use, if the pallets are new or do not contain pollutants;

(4) vehicles used in material handling that are adequately maintained to prevent leaking fluids;

(5) lidded dumpsters containing waste materials, providing the containers are completely covered, nothing can drain out, and no material can be lost while loading the contents onto a garbage truck (excludes trash compactors unless located indoors or protected by a storm-resistant shelter);

(6) industrial refuse and trash that is stored large roll-off containers that are either located under a constructed cover or covered with heavy-duty tarps that are properly maintained and in good condition. The tarps must be securely fastened to the waste container in such a manner that the tarp has to be unfastened to add waste materials to the container and then refastened to the container;

(7) particulate emissions from roof stacks or vents, provided they comply with other applicable TCEQ rules and do not contaminate storm water; and

(8) above ground storage tanks (ASTs) that are equipped with valves for dispensing materials that support facility operations (e.g., heating oil, propane, butane, chemical feedstocks) or that dispense fuel for delivery vehicles (e.g., gasoline, diesel, compressed natural gas) provided that:

a. the ASTs are located away from vehicle maintenance operations areas;

b. there are no leaks from pipes, pumps, or other equipment that could come into contact with storm water; and

c. the ASTs are surrounded by secondary containment (e.g., impervious berm, dike, or concrete retaining structure) to prevent exposure to storm water runoff in the event of structural failure or leaks.

ASTs that dispense fuel to vehicles other than delivery vehicles are considered exposed (e.g., ASTs that distribute fuel to airplanes at a regulated air transportation facility are considered exposed unless located under storm resistant shelter).

(b) The following types of final products do not qualify for a certification of no exposure:

(1) Products that could be mobilized by wind or rain into storm water discharges (e.g., rock salt, wood chips or shavings, compost). Materials sheltered from precipitation may still be deemed exposed if the materials could be carried by wind;

(2) products that may, when exposed, oxidize, deteriorate, leak or otherwise be a potential source of contaminants (e.g., scrap cars, stockpiled train rails, scrap metal, metal products); or

(3) "final" products that are actually "intermediate" products used in the composition of yet another product (e.g., sheet metal, tubing and paint used in making tractors, unfinished portions of a final product, plastic pellets, glass to be installed in vehicles or buildings). Even if the intermediate product is "final" for a manufacturer and is intended to be included in a "final product intended for use outdoors," these products are still considered intermediate products and are considered to be exposed if located outdoors.

Deposits of particles or residuals from roof stacks or vents not otherwise regulated that could be carried by storm water runoff and are considered exposed. Exposure also

occurs when, as a result of particulate emissions, pollutants are visibly being "tracked out" or carried on the tires of vehicles.

(c) Limitations on eligibility for the no-exposure exclusion:

(1) The exclusion from permit requirements is only available facility-wide, and is not available for individual outfalls. Generally, if any exposed industrial materials or activities are found on any portion of a facility, the facility is not eligible for the no-exposure exclusion.

(2) If a facility with a conditional No-Exposure exclusion undergoes any change(s) that result in industrial activities or materials becoming exposed, or if it is found that a facility does not (or no longer) meets the no exposure requirements, then the NEC exclusion that the facility is under ceases to apply. If this occurs, the operator of the facility covered (under an NEC) shall prepare a SWP3 and submit an NOI to apply for coverage under the MSGP or shall apply for an individual water quality permit (as applicable) to discharge storm water from the facility before making any changes that will expose industrial activities or materials. Discharges that occur after losing the conditional no exposure exclusion are not authorized unless permit coverage has been re-established by filing an NOI for this permit or via an individual permit. The operator will be required to submit a Notice of Termination (NOT) to terminate their NEC coverage.

(3) If the TCEQ determines that a facility's storm water discharges have a reasonable potential to cause or contribute to a violation of applicable water quality standards, then the TCEQ may deny the no exposure exclusion.

2. Application for Coverage

Applicants seeking authorization to discharge under this general permit shall submit a completed notice of intent (NOI) or a completed no exposure certification (NEC), as applicable, on a form approved by the executive director. Applications are not required for facilities that are automatically authorized by designation under this general permit.

(a) Notices of Intent (NOIs) and No Exposure Certifications (NECs).

(1) Paper NOIs and NECs. Provisional authorization begins seven (7) days from the date that a completed NOI or NEC is postmarked for delivery to the TCEQ, unless otherwise notified in writing by the executive director.

(2) Electronic NOIs and NECs. If electronic submission of NOIs or NECs is provided, and unless otherwise notified by the executive director, provisional authorization begins immediately following confirmation of receipt of the electronic NOI or NEC form by the TCEQ.

(3) Following review of the NOI or NEC, the executive director will:

a. determine that the NOI or NEC is complete and confirm coverage by providing a written notification and an authorization number; or

b. determine that the NOI or NEC is incomplete and request additional information needed to complete the NOI or NEC; or

c. deny coverage in writing. Denial of coverage will be made in accordance with TCEQ rules at 30 TAC § 205.4, related to Authorizations and Notices of Intent.

(b) Automatic Authorization. Facilities that meet the eligibility requirements for automatic authorization in Part II, Section B.13 are automatically authorized and are not required

to submit an NOI for coverage or an NEC for conditional exclusion, provided that all of the technical requirements are met. Permit coverage for existing facilities automatically authorized under Part II, Section B.13 of this general permit begins immediately upon the effective date of this general permit; and permit coverage for new facilities begins upon the commencement of industrial activities regulated under this general permit.

3. Application Deadlines

(a) Existing Industrial Facilities.

(1) Permittees who were authorized under the previous TPDES MSGP permit for discharges associated with industrial activity (TXR050000, issued August 14, 2006) shall continue to operate under the provisions of that permit until authorization is obtained under this general permit, and may continue to do so for up to 90 days after the effective date of this general permit.

On or before the ninetieth (90th) day following the effective date of this general permit, existing permittees shall submit an application (NOI or NEC) for coverage under this general permit, or shall comply with the automatic authorization option (in accordance with Part II, Section B.13. of this general permit). The executive director may grant a written request for extension for good cause if such written request is received no later than 15 days before the application deadline (75 days following the permit effective date).

(2) Facilities that were required to obtain permit coverage under the previous TPDES MSGP (issued August 14, 2006) are considered to be existing facilities, regardless of whether an NOI or NEC was previously submitted under that general permit. The deadline for existing facilities that did not obtain coverage under the previous TPDES MSGP permit is immediately upon the effective date of this general permit. However, this permit does not prohibit a facility from submitting an NOI or NEC after the effective date of the general permit.

(3) Permit coverage for facilities that do not renew permit coverage will expire 90 days following the effective date of this general permit. However, facilities that do not submit a notice of termination on or before September 1, 2011, will be considered active facilities on that date and will be assessed an annual fee for Fiscal Year 2012, as described in Part II, Section C.10.(b) below.

(b) New Industrial Facilities.

An NOI or NEC must be submitted prior to commencement of industrial activity that is regulated under this general permit, or the facility operator must comply with the automatic authorization requirements listed in Part II, Section B.13. of this general permit.

(c) New Operator.

Permit coverage may not be transferred. When the operator of a facility changes, the new operator must submit an NOI or NEC, and the previous operator must submit an NOT, at least ten days before the change in operator occurs, or in accordance with 30 TAC §205.4(h), related to Authorizations and Notices of Intent. Also see Part III, Section C.7, related to Terminating Coverage.

When the operational control of a portion of a facility changes, the new operator shall submit an NOI or an NEC, and the existing operator shall revise its SWP3 and submit an NOC as needed.

4. Storm Water Pollution Prevention Plan (SWP3)

A permittee authorized under this general permit must develop and implement a storm water pollution prevention plan (SWP3, or plan) according to the requirements of this permit before submitting an NOI for permit coverage. The plan must be developed according to the requirements of Part III of this general permit and must also include all sector specific requirements of Part V. The SWP3 must be signed and certified according to TCEQ rules at 30 TAC §305.128, as described in Part III, Section E.6.(c) of this general permit.

5. Contents of the Notice of Intent (NOI)

The NOI must contain the following information, at a minimum:

(a) Operator Information.

(1) the name, address, and telephone number of the operator filing the NOI for permit coverage; and

(2) the legal status of the operator (e.g., federal, state, private or public entity).

(b) Site Information.

(1) the name, address, county, and latitude and longitude of the site;

(2) a determination of whether the site is located on Indian Land;

(3) the name of the receiving water(s);

(4) the name of the MS4 operator(s), if the discharge is to an MS4;

(5) a certification statement that a SWP3 has been developed and implemented according to the provisions of this permit;

(6) the primary SIC code that best describes the industrial activity of the facility and any other SIC codes or Industrial Activity Codes that describe additional activities and that are listed in Part V of this permit; and

(7) the industrial sector(s) of this general permit for which the applicant requests coverage.

(c) Existing TPDES authorization number, for facilities previously regulated under the TPDES MSGP.

6. Changes to Information Submitted

(a) If the operator becomes aware that any of the following occurred, then correct information must be provided to the executive director in a notice of change (NOC) within 14 days after discovery:

(1) Relevant information provided on the NOI or NEC has changed;

(2) The operator failed to submit relevant facts; or

(3) The operator submitted incorrect information on an NOI or NEC.

(b) The NOC must 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 (if required by the MS4), and the SWP3 must include a list of the names and addresses of the MS4 operator(s) receiving a copy.

(c) Examples of information that may be submitted on an NOC include the following:

(1) Change to applicant contact or billing information.

(2) Changes to the General Characteristics section, such as adding, removing, or changing an SIC code or industrial activity code, or changing the discharge information.

(3) Operator name change, provided that only the name has changed and that no transfer of ownership has occurred (see Part II, Section C.7.(a) below).

(d) Information that may not be submitted on an NOC includes, but is not limited to, the following:

(1) Transfer of operational control from one operator to another, including a transfer of the ownership of a company. 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 or charter number that is on record with the Texas Secretary of State must be changed. See Part II, Section C.7.(a) below, related to Transfer of Operational Control.

(2) Change in the physical location of the facility. Authorizations may not be transferred to a different location; therefore, if a facility moves, the operator will need to submit an NOI for the new location and an NOT for the previous location.

(e) Additional changes that may be made to the operator's SWP3 and that are not required to be submitted on an NOC include, but may not be limited to, the following:

(1) Addition, removal, or change in the location of an outfall.

(2) Change to other information on the site map that was not originally provided on the NOI (e.g., location of processing areas, loading areas, or best management practices).

7. Terminating Coverage

(a) Submitting Notice of Termination (NOT).

(1) A permittee must submit a notice of termination (NOT) to the TCEQ to cancel coverage or to cancel a conditional exclusion based on no exposure. An NOT must be submitted in the following situations:

a. An existing facility covered under an NOI changes operations such that a condition of no exposure is obtained.

b. An existing facility with a conditional exclusion based on having no exposure of industrial activities changes operations such that a condition of no exposure no longer exists. The permittee must submit an NOI before a condition of exposure occurs, then must submit an NOT to terminate the existing exclusion.

c. A facility that was covered under an NOI or an NEC is no longer doing business in the original location, and no industrial activities (e.g., manufacturing, processing, material storage, waste material disposal areas and similar areas) remain or continue to be conducted at the site that would require permit coverage. An NOT must be submitted within 10 days after the facility ceases discharging storm water associated with industrial activity.

d. An operator that submitted an NOI or NEC obtains coverage under an individual permit or obtains coverage under an alternative general permit for

storm water discharges. An NOT must be submitted within 10 days after the operator obtains coverage under the alternative permit.

e. A transfer of operational control occurs. The original operator who submitted the NOI or NEC must submit an NOT to cancel coverage or to cancel a conditional exclusion based on no exposure.

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 operator of a regulated industrial facility changes or operational control is transferred, the original operator must submit an NOT within 10 days prior to the date that responsibility for operations terminates, and the new operator must submit an NOI at least 10 days prior to the transfer of operational control.

(2) Operators of regulated industrial activities who are designated as being automatically authorized by this general permit, and who are not required to submit an NOI or NEC, are not required to submit an NOT to terminate coverage.

(b) NOT Form.

The NOT must be submitted on a form approved by the executive director, and a copy of the NOT must be provided to the operator of any MS4 receiving the discharge (if required by the MS4).

(c) Effective Date of Termination of Coverage.

Authorization to discharge terminates at midnight on the day that an NOT is postmarked for delivery to the TCEQ. If TCEQ provides for electronic submission of NOTs, then authorization to discharge terminates immediately following confirmation of receipt of the electronic NOT form by the TCEQ.

8. Signatory Requirements

NOI, NOT, NOC, and NEC forms must be signed according to 30 TAC §305.44 (relating to Signatories for Applications). Signatory authority may not be delegated to a person who does not meet the requirements listed in the referenced rule.

9. Additional Notification

Industrial facilities that contribute storm water discharges to an MS4 must provide a copy of the completed NOI or NEC to the operator of the system. These facilities must also provide a copy of all NOCs and NOTs to the operator of the MS4.

10. Fees

(a) Application Fees:

An application fee of $200.00 must be submitted with each paper NOI and each paper NEC. If the TCEQ provides for electronic submittal of NOIs and NECs, the application fee for submittal of an electronic NOI or NEC is $100.00.

A fee is not required for submission of an NOT or NOC.

(b) Annual Fees:

A facility authorized under this general permit and required to submit an NOI must pay an annual water quality fee of $200.00 under Texas Water Code, §26.0291, and according to 30 TAC Chapter 205 (relating to General Permits for Waste Discharges).

An annual fee is not required for a facility that obtained a no-exposure exclusion by submitting an NEC form, nor for a facility that is automatically authorized under the general permit without submitting an NOI or NEC form.

11. Permit Expiration

This general permit is issued for an effective term not to exceed five (5) years. 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. If the TCEQ fails to publish public notice of its intent to renew or amend this general permit within 90 days of its expiration date, then dischargers under this general permit must submit an application for an individual permit prior to expiration of this general permit. If TCEQ publishes notice of its intent to renew or amend this general permit 90 days or more prior to expiration, existing authorizations under this general permit will remain in effect until the Commission takes final action on the permit. The renewed or amended general permit will prescribe how to obtain authorization for all dischargers regulated by the general permit, including a deadline for submitting an NOI, if required.

Section D. Alternative Coverage Under an Individual TPDES Permit

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 Chapter 305 (relating to Consolidated Permits). An operator of a facility described under Part II, Section A.1. of this general permit who chooses to be excluded from coverage under this general permit shall submit an application for coverage under an individual permit. Applications for individual permit coverage for new facilities should be submitted at least 330 days prior to the commencement of a regulated industrial activity to ensure timely permit coverage. Coverage under this general permit should not be terminated for existing facilities until the permittee receives an issued individual permit.

2. General Permit Alternative

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.

3. Individual Permit Required

The executive director may require an operator of a regulated industrial activity 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 total maximum daily load (TMDL) limitation or TMDL implementation plan on the receiving stream(s);

(b) the discharge 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 including 30 TAC §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.

(d) for a discharger classified as a "poor" performer under 30 TAC Chapter 60, 30 TAC §60.3 requires the executive director to deny or suspend a person's authority relating to that site to discharge under this general permit.

Denial of authorization to discharge under this general permit or suspension of a permittee's authorization under this general permit must be done according to commission rules in 30 TAC, Chapter 205.

Part III. PERMIT REQUIREMENTS AND CONDITIONS COMMON TO ALL COVERED INDUSTRIAL ACTIVITIES

Section A. General Storm Water Pollution Prevention Plan (SWP3) Requirements

1. Implementation of SWP3 and Consistency with Other Plans

(a) An applicant seeking authorization under this general permit must develop and implement a storm water pollution prevention plan (SWP3) before submitting an NOI for coverage.

The SWP3 must be signed and certified in accordance with Part III, Section E.6.(c) of this general permit, and must be maintained onsite and made readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction.

The SWP3 must be modified whenever necessary to address changing conditions at the site.

Permittees who discharge storm water to a municipal separate storm sewer system (MS4) shall also provide a copy of the SWP3 to the operator of that MS4 upon receiving a request from the MS4 operator.

The SWP3 must be developed according to the requirements of this general permit. At a minimum, the SWP3 must:

(1) identify actual and potential sources of pollution that may reasonably be expected to affect the quality of storm water discharges from the facility (see Part III, Section A.3.);

(2) establish practices and any necessary control measures that will prevent or effectively reduce pollution in storm water discharges from the facility and that ensure compliance with the terms and conditions of this general permit (see Part III, Section A.4.);

(3) describe how the selected practices and controls are appropriate for the facility and how each will effectively prevent or reduce pollution (see Part III, Section A.4.);

(4) describe how controls and practices interrelate to comprise an integrated, facility-wide approach for storm water pollution prevention, including any useful references to literature or site-specific performance information on the selected controls and practices to demonstrate the appropriateness of each (see Part III, Section A.4.);

(5) establish a Storm Water Pollution Prevention Team (team) and identify team members who will be responsible for developing and revising the SWP3 (see Part III, Section A.2);

(6) provide a description of the facility that includes information about activities, materials, and physical features of the facility that may contribute pollutants to storm water and any pollutant discharges that could occur during dry weather (see Part III, Section A.3.); and

(7) document the monitoring and inspection procedures and schedules that will be implemented at the site (see Part III, Section B).

(b) Existing plans and measures that are developed based on other regulatory requirements, such as Spill Prevention Control Countermeasures (SPCC) plans that are required for certain operations under the federal guidelines of 40 CFR Part 112, may satisfy in whole or in part specific requirements of this general permit. These plans or measures may either be attached as a component of the SWP3, or referenced in the SWP3 and made readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction.

2. Storm Water Pollution Prevention Team

The permittee shall establish a storm water pollution prevention team (team). The SWP3 must be kept readily available to the members of the team.

(a) Members of the Team. The SWP3 must identify the members of the team by name and by title, and must list and clearly identify the responsibilities of each team member. The team may consist of a single individual or a group of individuals as appropriate for the facility. Additional members of the team may include environmental professionals that are under contract to the permittee. If the facility is not staffed on a continuous or permanent basis, then company employee(s) from outside of the facility may be identified as a part of the team.

If it is not feasible to provide the name of each team member, then the SWP3 may identify a position or positions within the organization that comprise the team. Members of the organization or the ranking employees or executive officers at the facility must be able to identify the particular individual(s) comprising the team.

(b) Responsibility of the Team. The team is responsible for development of the SWP3 and for assisting the operator or the operator's designee in the implementation, maintenance, and revision of the SWP3.

3. Description of Potential Pollutants and Sources

The SWP3 must identify and describe all activities and significant materials that may potentially be pollutant sources. The SWP3 must include, at a minimum:

(a) Inventory of Exposed Materials. An inventory must be developed that lists materials currently handled at the facility that may be exposed to precipitation or runoff in a drainage area of an outfall covered under this permit. The list must include all materials that are handled, stored, processed, treated, or disposed of in a manner that would allow exposure to precipitation or runoff. Materials stored in drums, barrels, tanks, and similar containers that are tightly sealed, in good structural condition, and do not have leaking valves are not required to be listed in the inventory.

The inventory of materials must include specific pollutants that maybe attributed to those materials. For facilities subject to reporting requirement under EPCRA §313, the SWP3 must list all potential pollutant sources for which they have reporting requirements under EPCRA §313.

The inventory must be updated within 30 days following a significant change in the types of materials that are exposed to precipitation or runoff, or significant changes in material management practices that may affect the exposure of materials to precipitation or runoff. A significant change in the types of materials is exposure of a material, not already included in the inventory that could be transported by precipitation or storm water runoff and subsequently discharged. A significant change in material management practices is a change that would result in either initial exposure of a material not already listed in the inventory or increased exposure of a

material to the extent that the material could be transported by precipitation or storm water runoff and subsequently discharged.

(b) Narrative Description. The SWP3 must include a narrative description that describes all activities and potential sources of pollutants that may reasonably be expected to add pollutants to storm water discharges, or that may result in dry weather discharges from the storm sewer system. This description must include locations and sources of runon to the site from adjacent property, and an indication if significant quantities of pollutants are present in the runon.

Examples include the following activities and potential sources when they are exposed to storm water:

(1) loading, unloading, and material transfer areas;

(2) outdoor storage areas;

(3) outdoor processing areas;

(4) dust producing activities;

(5) on-site waste disposal areas;

(6) vehicle/equipment maintenance, cleaning, and fueling areas;

(7) liquid storage tank areas;

(8) railroad sidings, tracks, and rail cars;

(9) storage piles containing salt used for deicing or other commercial or industrial purposes;

(10) locations where potential spills and leaks could occur that could contribute pollutants to storm water discharges; and

(11) locations where all significant spills and leaks (for example, reportable quantity spills and spills or leaks that have the potential to cause impacts on water quality) of oil or toxic or hazardous pollutants occurred at exposed areas that drained to a storm water conveyance in the three (3) years prior to the date the SWP3 was prepared or amended.

For each pollutant or material listed in the Inventory of Exposed Materials, the direction of flow or potential flow to the final permitted outfalls must be identified in the SWP3. The outfall and direction of flow must either be narratively described or identified by referencing the location on the site map. Areas of the facility that have a high potential for significant soil erosion, due to topography, activities, or other factors, must also be identified and either narratively described or identified by referencing the location on the site map.

The narrative description must be updated within 30 days following a change in the types or quantities of materials exposed to precipitation or runoff that, in the judgment of the storm water pollution prevention team, may reasonably be expected to add pollutants to storm water discharges. The narrative description must be updated to describe changes in material management practices or other factors that may affect the exposure of materials to precipitation or runoff.

(c) General Location Map. The SWP3 must contain a general location map (e.g., USGS quadrangle map) with enough detail to identify the location of the facility, including all surface waters that could potentially receive the storm water discharges from the site.

(d) Drainage Area Site Map. A site map(s) must be developed that depict(s) the following:

(1) the location of each outfall covered by the permit and the location of each sampling point (if different from the outfall location);

(2) an outline of the facility's drainage area that shows the direction of the storm water flow, and the location of all storm water conveyances (e.g., ditches, gutters, pipes, swales) that drain to each permitted outfall;

(3) connections or discharges to MS4(s);

(4) locations of all structures (e.g. buildings, garages, storage tanks, fueling stations, machinery) and impervious surfaces (e.g., parking lots, paved or concrete pads);

(5) structural control devices designed to reduce pollution in storm water runoff;

(6) process wastewater treatment units (including ponds);

(7) bag house and other air treatment units exposed to storm water;

(8) the surface area of the facility (i.e., size in acres or square feet), or a clear scale such that the approximate surface area may be calculated;

(9) locations of all receiving waters, including wetlands, and information as to whether they are impaired or have established TMDLs;

(10) vehicle and equipment maintenance areas;

(11) physical features of the site that may influence storm water runoff or contribute a dry weather flow;

(12) locations and descriptions of all non-storm water discharges;

(13) locations where reportable quantity spills or leaks have occurred during the three (3) years before the NOI is submitted to obtain coverage under this general permit;

(14) locations and sources of runon to the site from adjacent property that contains significant quantifies of pollutants;

(15) processing, storage, and material loading/unloading areas; and

(16) any additional locations where significant materials are exposed to precipitation or runoff.

The site map must clearly show the flow of storm water runoff from each of these locations so that the final outfall(s) where the discharge leaves the facility's boundary is apparent. A series of maps must be developed if the amount of information would cause a single map to be difficult to read and interpret.

(e) Spills and Leaks. The SWP3 must contain a list of reportable quantity spills that occurred in areas exposed to storm water, or that occurred within the drainage area that contributes to an outfall, during the three (3) years before the NOI was submitted. The list must be updated on a quarterly basis and must include all additional spills and leaks (in addition to the previously listed spills of "reportable quantity" only). The updated list may be limited to spills and leaks that have occurred within the previous five (5) years.

(f) Sampling Data. All data from the laboratory analyses of storm water discharge samples must be summarized. The summary must be updated on an annual basis to include the results of all additional analyses. The data summary must either be included as an attachment to the SWP3 or may be referenced and maintained separately. The data

summary must be readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction.

4. Pollution Prevention Measures and Controls

The permittee shall implement all pollution prevention practices that are determined to be necessary, reasonable, and effective by the storm water pollution prevention team, or that are required by a state or local authority, that are necessary to protect the water quality in receiving waters, or that are necessary to remain compliant with this general permit. The SWP3 must include detailed descriptions of the following minimum components and a schedule for implementation:

(a) Best Management Practices (BMPs). A section within the SWP3 must be developed to establish BMPs to reduce the discharge and potential discharge of pollutants in storm water and to minimize exposure of areas of the site with industrial activity to storm water. The location and type of BMPs or control measures that have been adopted or installed must be documented in the SWP3. Development of BMPs must be based on the activities and potentials for contamination that are identified in Part III, Section A.4. of this permit.

Examples of BMPs that the permittee may use to comply with this section include the following:

(1) use grading, berming, or curbing when possible to prevent runoff of contaminated flows and to divert runon away from these areas;

(2) locate materials, equipment, and activities in such a way that leaks are contained in existing containment and diversion systems;

(3) clean up spills and leaks promptly using dry methods (e.g., absorbents) to prevent the discharge of pollutants;

(4) use drip pans and absorbents under or around leaky vehicles and equipment or store indoors where feasible;

(5) use spill/overflow protection equipment;

(6) drain fluids from equipment and vehicles prior to on-site storage or disposal;

(7) perform cleaning operations indoors, within storm resistant shelters, or within bermed areas that prevent runoff and runon and that also that capture overspray;

(8) ensure that waste, garbage, and floatable debris are not discharged to receiving waters, by keeping exposed areas free of such materials or by intercepting them before they are discharged;

(9) minimize generation of dust and off-site tracking of raw materials, intermediate products, final products, or waste materials; and

(10) divert, infiltrate, reuse, contain, or otherwise reduce storm water runoff, in order to minimize pollutants in discharges.

(b) Good Housekeeping Measures. A section within the SWP3 must be developed to ensure that areas of the facility that contribute or potentially contribute pollutants to storm water discharges (e.g., areas around trash dumpsters, storage areas, loading docks, and outdoor processing areas) are maintained in a clean and orderly manner. Good housekeeping measures must include measures to eliminate or reduce exposure of garbage and refuse materials to precipitation or runoff prior to their disposal. Typical good housekeeping measures include activities that are performed on a daily basis by

employees during the course of normal work activities. The good housekeeping measures must be incorporated as a part of the employee training program.

(c) Erosion and Sedimentation Control Measures. A section within the SWP3 must be developed to address soil erosion and sedimentation. The permittee shall evaluate and use appropriate measures and controls to reduce soil erosion and sedimentation in areas of the facility with demonstrated or potential soil erosion and sedimentation.

Potential use of the following controls must be evaluated, at a minimum: soil stabilization through vegetative cover; contouring slopes; paving; and installation of structural controls.

(d) Structural Controls

(1) Physical structures may be used in conjunction with other pollution prevention measures and controls, as necessary, to reduce pollutants in storm water discharges. Examples of structural controls that may be used include vegetated swales, oil/water separators, settling ponds, catch basins, berms, and other physical structures.

(2) Velocity Dissipation Devices. Discharge velocities must be controlled to the extent necessary to prevent the destruction of the natural physical characteristics of receiving waters by erosion. Velocity dissipation devices may be constructed at discharge points or along channels and other storm water collection areas that lead to outfalls. Management alternatives to minimize runoff, such as limiting impervious cover, may also be considered.

(3) A section within the SWP3 must be developed to establish a maintenance program for storm water structural controls. These controls must be inspected on a regular basis and maintenance frequencies must be established for each of the controls at intervals that ensure effective operation. Mechanical equipment that is part of a structural control, such as a storm water pump, must also be inspected at intervals described in the SWP3 and maintained at intervals necessary to prevent failures that could result in a discharge of pollutants.

This section of the SWP3 must identify qualified personnel to conduct inspections and establish inspection and maintenance schedules. Records must document the estimated volumes of solids removed from catch basins, sediment ponds, and other similar control structures.

(e) Spill Prevention and Response Measures. A section within the SWP3 must be developed and implemented to prevent spills and to provide for adequate spill response. This section must:

(1) identify areas where spills could contribute pollutants to storm water discharges;

(2) develop and implement procedures to minimize or prevent contamination of storm water from spills;

(3) require drums, tanks, and other containers to be clearly labeled;

(4) clearly mark hazardous waste containers that require special handling, storage, use, and disposal;

(5) develop and implement specific spill prevention, detection, and clean up procedures and techniques;

(6) develop procedures to notify appropriate facility personnel, emergency response agencies, public health, or drinking water supply agencies and other regulatory

agencies of a reportable quantity spill or other release of oil or a hazardous substance;

(7) make available to facility personnel materials and equipment necessary for spill clean-up;

(8) develop and maintain an inventory of spill cleanup materials and equipment; and

(9) incorporate these measures as a part of the employee training program.

(f) Employee Training Program and Employee Education.

(1) Training. A section within the SWP3 must be developed to establish a training program. Training must be provided to all employees who are responsible for implementing or maintaining activities identified in the SWP3. Employee training must include the following, at a minimum:

a. proper material management and handling practices for specific chemicals, fluids, and other materials used or commonly encountered at the facility;

b. spill prevention methods;

c. the location of materials and equipment necessary for spill clean-up;

d. spill clean-up techniques;

e. proper spill reporting procedures; and

f. familiarization with good housekeeping measures, BMPs, and goals of the SWP3.

The schedule for employee training sessions must be developed based on pollutant potential, employee turnover rate, and other factors the permittee determines are applicable. Training must be conducted at least once per year and records of training activities must be maintained in the SWP3.

(2) Education. Education must be provided to those employees at the facility who are not directly responsible for implementing or maintaining activities identified in the SWP3, and who do not participate in the employee training program. At a minimum, these employees must be informed of the basic goal of the SWP3 and how to contact the storm water pollution prevention team regarding storm water issues.

5. Additional Documentation Requirements

(a) The following records must be kept with the SWP3, in addition to any records required elsewhere in this permit:

(1) A copy of the NOI submitted to TCEQ along with any correspondence exchanged between the permittee and TCEQ related to coverage under this permit;

(2) A copy of the acknowledgment letter from the TCEQ;

(3) A copy of this permit (either paper or electronic version), either as part of the SWP3 or as an attachment to the SWP3 (sections in Part V of this general permit that are not related to the industrial activities at the site need not be included);

(4) Descriptions and dates of any incidences of significant spills, leaks, or other releases that resulted in the discharge of pollutants to surface waters;

a. the circumstances leading to the release and actions taken in response to the release; and

b. measures taken to prevent the recurrence of such releases;

(5) Records of employee training, including date(s) training received;

(6) Documentation of maintenance and repairs of control measures, including the date(s) of regular maintenance, date(s) of discovery of areas in need of repair/replacement, and for repairs, date(s) that the control measure(s) returned to full function, and the justification for any extended maintenance/repair schedules;

(7) Copies of inspection reports;

(8) Description of any corrective action taken at the site, including triggering event and dates when problems were discovered and modifications occurred;

(9) Documentation to support a claim that the facility has changed its status from active to inactive and unstaffed with respect to the requirements to conduct routine facility inspections, quarterly visual assessments, or benchmark monitoring; and

(10) Results of monitoring and inspection activities as described in Part III, Section B.

(b) Records - Records for each element described above in Part III, Section A.4., related to Pollution Prevention Measures and Controls, must either be included as an attachment to the SWP3 and retained on-site or made readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction. Records must document and describe maintenance activities, inspections, spills, discharge quality, employee training activities, employee education activities, SWP3 updates or modifications, and other events relative to each element.

6. SWP3 Review

The SWP3 must be maintained either at the site or be readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction. The SWP3 must be modified by the permittee as often as necessary. Each revision must be dated and all revisions must be retained according to Part III, Section D.5. The executive director may determine, following a review or site inspection, that the SWP3 is not sufficient and may require that the SWP3 be revised to correct all deficiencies;

Section B. Periodic Inspections and Monitoring

1. Inspection and Certification of Non-Storm Water Discharges

(a) Permit Coverage for Non-Storm Water Discharges. Non-storm water discharges eligible for coverage are described in Part II, Section A.6. of this general permit and in the individual sections within Part V of this general permit. The permittee shall identify and evaluate all non-storm water discharges that qualify for permit coverage. The SWP3 must include a list of the non-storm water discharges at the facility, as well as the results of this evaluation.

(b) Investigation for Non-Storm Water Discharges. Within 180 days of filing an NOI for coverage (or a renewal NOI) the permittee shall conduct a survey of potential non-storm water sources and shall provide the certification required in Part III, Section B.1.(c) below. The facility's storm sewer system must be tested or inspected (e.g.,

screened for dry weather flows) for the presence of non-storm water flows. Procedures must be evaluated and implemented to eliminate any potential sources that are discovered and are not permitted. The SWP3 must ensure that non-storm water sources are not combined with storm water discharges authorized by this permit unless otherwise allowable under Part II.B.5. of this general permit.

The SWP3 must be updated based on this evaluation to include the following:

(1) the date that the evaluation occurred and description of the criteria used for evaluation;

(2) the outfalls or onsite discharge points observed;

(3) the different types of identified non-storm water discharges and their source locations; and

(4) appropriate BMPs for the non-storm water discharges, or the actions taken or the control measures used to eliminate them.

(c) Certification. The SWP3 must include a certification, signed according to Part III, Section E.6.(c) of this general permit, relating to Signatory Requirements for Reports and Certifications, that states that the facility's storm sewer system has been evaluated for the presence of non-storm water discharges and that the discharge of non-permitted, non-storm water does not occur. The certification must include documentation of how the evaluation was conducted, results of any testing, dates of evaluations or tests, and the portions of the storm sewer system that were observed during the inspection. The inspection for non-storm water discharges must be completed and the certification must be prepared within 180 days after filing an NOI for permit coverage. The certification must be made readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction.

(d) Failure or Inability to Certify.

(1) If a part of the storm sewer system cannot be accessed to complete the evaluation, certification must be provided for the remainder of the system. Notice of this inability to certify a portion of the storm sewer system must be provided to the TCEQ within 180 days after the NOI is submitted. Operators of facilities that contribute storm water discharges to an MS4 shall provide notice of this inability to certify a portion of the storm sewer system to the MS4 operator upon request from the MS4 operator. The notice must include an explanation of why the evaluation could not be performed and a list of all known potential, non-permitted, non-storm water sources that could not be included in the certification. The notification must be submitted to the TCEQ's Enforcement Division (MC-224).

(2) If, in the course of evaluating the storm sewer system, the permittee is unable to certify that non-permitted, non-storm water discharges are not occurring due to noncompliance, then the certification must identify the noncompliance issues and the steps being taken to remedy and prevent further noncompliance.

2. Routine Facility Inspections

Qualified personnel, who are familiar with the industrial activities performed at the facility, shall conduct periodic routine facility inspections to determine the effectiveness of the Pollution Prevention Measures and Controls (Part III, Section A.4.). These inspections must include at least one member of the storm water pollution prevention team.

(a) Inspections must be conducted at least once per quarter unless otherwise specified in Part V of this permit. If feasible, at least one of these routine facility inspections each calendar year must be conducted during a period when a storm water discharge is occurring.

(b) The permittee shall document the findings of each routine facility inspection performed and shall maintain this documentation onsite with the SWP3.

(c) The inspections must be documented through the use of a checklist that is developed to include each of the controls and measures that are evaluated. At a minimum, the documentation of each routine facility inspection must include:

(1) the inspection date and time;

(2) the name(s) of the inspector(s);

(3) weather information and a description of any discharges occurring at the time of the inspection;

(4) any previously unidentified discharges of pollutants from the site;

(5) any control measures needing maintenance or repairs;

(6) any failed control measures that need replacement;

(7) any incidents of noncompliance that are observed;

(8) any additional control measures needed to comply with the permit requirements; and

(9) identification of any existing BMPs that are not being properly or completely implemented.

This documentation must be signed in accordance with Part III, Section E.6.(c) of this permit.

When revisions or additions to the SWP3 are recommended as a result of inspections, a summary description of these proposed changes must be attached to the inspection checklist. The summary must identify any necessary time frames required to implement the proposed changes. The routine facility inspection checklists must be made readily available for inspection and review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction.

3. Quarterly Visual Monitoring

Storm water discharges from each outfall authorized by this general permit must be visually examined on a quarterly basis. Monitoring must be conducted during the normal hours of operation for the facility and samples must be collected in a clean, clear, glass or plastic container and examined in a well lit area.

(a) Findings must document observations of the following:

(1) color;

(2) clarity;

(3) floating solids;

(4) settled solids;

(5) suspended solids;

(6) foam;

(7) oil sheen;

(8) other obvious indicators of storm water pollution; and

(9) noticeable odors.

Some examinations, such as an examination for odor and foam, may necessarily be conducted immediately following collection of the sample.

(b) All examinations must be performed in a manner that ensures the sample is representative of the discharge (see Part III, Section D). If this is not possible, then the report must include the reason.

(c) Records of quarterly visual monitoring must include the following information, and the report must be included in the SWP3:

(1) sample location(s);

(2) date and time samples were collected and examined;

(3) names of personnel who collected and examined the samples;

(4) nature of the discharge (e.g., runoff, snow melt);

(5) results of the observations;

(6) probable sources of any observed contamination;

(7) visual quality of the storm water discharge; and

(8) the reason why any samples were not collected within the first 30 minutes of discharge.

(d) Results of the examination must be reviewed by the storm water pollution prevention team. The team must investigate and identify probable sources of any observed storm water contamination. The SWP3 must be modified as necessary to address the conclusions of the team.

(e) Part V of this general permit may include alternative schedules for visual monitoring at specific industrial sectors, and may include additional requirements.

4. Water Quality Monitoring Requirements

(a) The permittee shall monitor the discharge from the facility at all outfall(s) determined to be discharging a pollutant of concern at a level of concern under Part II, Section B.7, Impaired Water Bodies and Total Maximum Daily Load (TMDL) Requirements.

(b) The permittee may not establish substantially similar outfalls for sampling required under this section.

(c) The permittee shall monitor the discharge(s) from regulated industrial activities for the pollutant of concern at a frequency of once per year. For the following pollutants of concern, monitoring must be conducted for the following alternative pollutants, unless an alternate is approved in writing by TCEQ's Wastewater Permitting Section (MC-148), or the TCEQ develops separate written guidance:

Pollutant(s) of Concern:

Bacteria: E.coli (for discharge to fresh water); or enterococci (for discharges to marine waters).

Dissolved Oxygen: BOD5, COD, or both (based on the nature of the industrial activity, and whether there is an existing benchmark sampling requirement for the facility's industrial sector)

Nutrients: Phosphorous (for discharges to fresh water); or Nitrogen (for discharges to marine waters), unless otherwise established in an applicable TMDL or TMDL Implementation Plan.

Hazardous Metals: Specific Metal Listed in 303d list or TMDL*

Other: If the impairment is due to a parameter for which there is not an obvious analytical test or benchmark value (e.g., sediment, fish tissue, etc.), the permittee shall contact the TCEQ for guidance on which pollutant(s) to monitor for, if any, and the TCEQ will respond in writing. The permittee shall retain this information with the SWP3.

The permittee may utilize the analytical results of sampling for other sections of this general permit to comply with this annual sampling requirements (e.g., hazardous metals sampling in Part III, Section C, or benchmark monitoring in Parts IV and V of this general permit).

(d) Sampling, monitoring, and analyses must be conducted according to procedures specified in Part III, Section E.4 of this permit unless otherwise specified and using test procedures with minimum analytical levels (MALs) at or below benchmark values for all the benchmark parameters for which sampling is required.

(e) Reporting: The permittee shall report the result of sampling for this section to the TCEQ by March 31 following the calendar year in which the samples were collected. Results must be submitted to the TCEQ's Storm Water & Pretreatment Team (MC-148).

(f) If sampling results indicate that the pollutant is present below the level of concern (e.g., the analytical result is below the benchmark values in Part IV of this permit) or is not present (e.g., analytical result is below the MAL), then the permitee may discontinue sampling under this section for the remainder of the permit term.

5. Annual Comprehensive Site Compliance Inspection

The comprehensive site compliance inspection is a required site evaluation and an overall assessment of the effectiveness of the current SWP3. This inspection is in addition to other routine inspections required by the permit; however, it may substitute for a routine facility inspection if it is conducted during the regularly scheduled period of the routine facility inspection and the scope of the inspection is sufficient enough to address both the minimum requirements of the routine inspection and the comprehensive site compliance inspection.

(a) General Requirements. The comprehensive site compliance inspection must be conducted at least once each permit year by one or more qualified employees or designated representatives, including at least one member of the storm water pollution prevention team. The inspection must include an examination and assessment of:

(1) all areas identified in the Inventory of Exposed Materials section of the SWP3;

(2) all structural controls, including the maintenance and effectiveness;

(3) all non-structural controls (e.g., good housekeeping measures, scheduling, etc.);

(4) all areas where spills and leaks have occurred in the past three (3) years;

(5) all reasonably accessible areas immediately downstream of each outfall that is authorized under this general permit;

(6) industrial materials, residue, or trash that may have or could come into contact with storm water;

(7) leaks or spills from industrial equipment, drums, tanks, and other containers;

(8) offsite tracking of industrial or waste materials, or sediment where vehicles enter or exit the site;

(9) tracking or blowing of raw, final, or waste materials from areas of no exposure to exposed areas;

(10) a review of the results of the past year's visual and analytical monitoring when planning and conducting inspections that are required by this general permit; and

(11) any control measures needing replacement, maintenance, or repair.

(b) Annual Comprehensive Site Compliance Inspection Report. Within 30 days of performing the annual site compliance inspection, the permittee shall prepare a report that includes a narrative discussion of compliance with the current SWP3. The report must be signed and certified in accordance with Part III, Section E.6.(c) of this permit, and must either be included as a part of the SWP3 or referenced in the SWP3 and be made readily available for inspection and review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction. The report must document all of the following information:

(1) name(s) and title(s) of the personnel conducting the inspection;

(2) the date(s) of the inspection;

(3) findings from the inspection of areas of the facility;

(4) observations relating to the implementation of control measures:

a. previously unidentified discharges from the site;

b. previously unidentified pollutants in existing discharges;

c. evidence of, or the potential for, pollutants entering the drainage system;

d. evidence of pollutants discharging to receiving waters, and the condition of and around each outfall; and

e. additional control measures needed to address any conditions requiring corrective action identified during the inspection.

(5) revisions to the SWP3 made as a result of the inspection; and

(6) any incidents of non-compliance:

a. For purposes of this inspection, an incident of non-compliance is any instance where an element of the SWP3 is either not implemented, or where specific conditions of the permit are not met.

b. If no incidents of non-compliance are discovered, the report must contain a certification by the permittee that the facility, or in the case of a shared SWP3, the portion of the facility the permittee is responsible for, is in compliance with the SWP3.

c. If an incident or incidents of non-compliance is identified, then the report must include all necessary actions to remedy the non-compliance. The identified actions must be completed as soon as practicable, but no later than 12 weeks following the completion of the report.

(c) Revision of the SWP3. Within 12 weeks following the completion of the Annual Site Compliance Inspection Report, the permittee shall revise and implement the SWP3 to include and address the findings of the report. Revisions must include all changes resulting from the report and all applicable updates to the following:

(1) elements of the SWP3 requiring modification;

(2) controls (e.g. structural controls or BMPs) that should be added or modified;

(3) site map;

(4) inventory of exposed materials;

(5) description of the good housekeeping measures;

(6) description of structural and non-structural controls; and

(7) any other element of the plan that was either found to be inaccurate or will be modified.

6. Results of Inspections and Monitoring

If the findings of the inspections and monitoring activities in this section demonstrate compliance with the general permit, then the results of the monitoring are not required to be submitted to the TCEQ, unless specifically requested to do so. The permittee shall submit the results of monitoring conducted under this permit that demonstrates noncompliance with any permit condition (see Part III, Section E.6.).

7. Exceptions to Periodic Inspections and Monitoring

Refer to Part III, Section D.4. for exceptions related to adverse weather conditions and inactive and unstaffed sites.

Section C. Numeric Effluent Limitations

1. Discharges of Storm Water Runoff

(a) Numeric Limitations for Hazardous Metals.

Table 1. Daily Maximum Effluent Limitation

Parameter (Total)	Discharges to Inland Waters (mg/L)	Discharges to Tidal Waters (mg/L)	Monitoring Frequency
Arsenic	0.3	0.3	1/Year
Barium	4.0	4.0	1/Year
Cadmium	0.2	0.3	1/Year
Chromium	5.0	5.0	1/Year
Copper	2.0	2.0	1/Year
Lead	1.5	1.5	1/Year

Parameter (Total)	Discharges to Inland Waters (mg/L)	Discharges to Tidal Waters (mg/L)	Monitoring Frequency
Manganese	3.0	3.0	1/Year
Mercury	0.01	0.01	1/Year
Nickel	3.0	3.0	1/Year
Selenium	0.2	0.3	1/Year
Silver	0.2	0.2	1/Year
Zinc	6.0	6.0	1/Year

(b) Daily Maximum Effluent Limitation. A grab sample must be collected at a minimum frequency of once per year at the final outfall or a designated sampling location (also see Part III, Section D.2.). For the purpose of collecting samples for hazardous metals, all designated sampling points must be representative of the discharge(s) from the facility that would reach surface water in the state.

(1) Samples of discharges collected at the final outfall must be collected either immediately prior to entering surface water in the state or immediately prior to leaving the permitted facility property.

(2) Samples of discharges collected at a designated sampling point must be collected in accordance with the requirements in Part III, Section E.4. of this permit.

A designated sampling point must be established when it can be determined that samples taken at a final outfall, as described in Part III, Section C.1.(b)(1) above, would not be considered representative of the discharge from the facility.

(3) If there is not an obvious outfall location, a designated sampling point may need to be created in accordance with the requirement in Part III, Section E.4.(a) of this permit.

(c) Reporting Requirements.

(1) Results of monitoring for determining compliance with numeric effluent limitations must be recorded on a discharge monitoring report (DMR). The DMR must either be an original EPA No. 3320-1 form, a duplicate of the form, or as otherwise provided by the executive director.

(2) Monitoring must be conducted prior to December 31st for each annual monitoring period and the results must be reported as required in Part III, Section E.6. of this permit. A copy of the DMR must either be retained at the facility or must be made readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction by March 31st following the annual monitoring period.

(3) If the results indicate the violation of one or more of the numeric limitations listed above in Part III, Section C.1.(a), the permittee shall also submit the DMR to the TCEQ's Information Resources Division, Central File Room (MC-213) by March 31st following the annual monitoring period in which the violation(s) occurred.

(d) Waiver from Numeric Effluent Limitation. Permittees qualify for a waiver from monitoring requirements for one or more hazardous metal if one of the following criteria are met, and the waiver is obtained by certifying the conditions exist. This

certification must be completed on a form provided by the executive director. A new form must be completed during each permit term, no later than prior to the first sampling event that the permittee is seeking to waive. The form must be either maintained onsite or made readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction. Waivers may be obtained on a metal by metal basis, or on an outfall by outfall basis:

(1) the permittee certifies that the regulated facility does not use a raw material, produce an intermediate product, or produce a final product that contains one (1) or more of the hazardous metals listed at Part III, Section C.1.(a) of this permit; or

(2) the permittee certifies that any raw materials, intermediate products, or final products that contain one or more hazardous metal are never exposed to storm water or runoff (final products are not considered to expose hazardous metals to storm water or runoff if the final product is designed for outdoor use, unless it is a product that could be transported by storm water runoff or the final product will be used as a material or intermediate product); or

(3) the permittee collects a sample from the first available discharge from the facility occurring during first sampling period of this permit, analyzes the sample for one or more of the listed hazardous metals, and the results indicate that the metal(s) is/are not present in detectable levels. Test methods used must be sensitive enough to detect the following parameters at the minimum analytical level (MAL) specified below, and results of sampling must be retained on site and available for review by TCEQ personnel:

Table 2. Minimum Analytical Levels (MAL) for Hazardous Metals

Pollutants	**MAL (mg/L)**
Arsenic, total	0.010
Barium, total	0.010
Cadmium, total	0.001
Chromium, total	0.010
Copper, total	0.010
Lead, total	0.005
Manganese, total	0.002
Mercury, total	0.0002
Nickel, total	0.010
Selenium, total	0.010
Silver, total	0.002
Zinc, total	0.005

When an analysis of a discharge sample for any of the parameters listed above indicates no detectable levels above the MAL, and the test method detection level is as sensitive as the specified MAL, a value of zero (0) may be used for that measurement, and a waiver may be obtained for the duration of the permit term following the sample collection, for any hazardous metal that measures zero (0).

(4) Hazardous metals monitoring waivers are effective beginning on the date that the waiver certification is made following submittal of an NOI, and lasting for the duration of the term of this general permit. The permittee will be required to comply with any requirements of a reissued general permit with respect to sampling and waivers, including obtaining a new hazardous metals monitoring wavier (see the criteria listed above).

(e) Relation to Benchmark Monitoring. If a facility is required to sample for any of the above hazardous metals as part of the benchmark requirements in Part V of this permit, then the permittee is subject to the effluent limitations listed in Part III, Section C.1. of this general permit for those hazardous metals sampled at a final outfall as part of benchmark monitoring. There are no waivers available for pollutants that are required in Part V of the general permit. If sampling for benchmark metals is not performed at a final outfall, then the above effluent limits may not apply for the benchmark sample if the sample is not representative of the discharge from the site. In this situation, the discharge must also be sampled at each final outfall to comply with the sampling and analyses requirements of this section.

2. Discharges Subject to Federal Categorical Guidelines

Part V of this general permit includes additional effluent limitations for certain storm water discharges as required under 40 CFR Subchapter N (Parts 400-471). The permittee is subject to the sampling and reporting requirements as stipulated in the applicable sections of Part III, Section D, and Part V of this general permit.

Section D. General Monitoring and Records Requirements

1. Qualifying Storm Events

(a) Monitoring, sampling, examinations, and inspections of storm water discharges that are required as a provision of this general permit must be conducted on discharges from a measureable storm event that results in an actual discharge from the site, and that follows the preceding measurable storm event by at least 72 hours (3 days). The 72-hour storm interval does not apply if the permittee is able to document that less than a 72-hour (3-day) interval is representative for local qualifying storm events during the sampling period. In the case of snowmelt, the monitoring must be performed at a time when a measurable discharge occurs at the site.

(b) A facility that has retention ponds as BMPs will not always have a discharge from the pond(s) immediately following a qualifying storm event. If any storm events occurred prior to discharge from the outfall, regardless of the time period between the last storm event and the discharge, the permittee may consider the discharge to be the result of the previous qualifying storm event.

(c) The permittee shall maintain a rain gauge on-site to determine when a qualifying storm event occurs. The rain gauge must be monitored a minimum of once per week, and once per day during storm events. Records of the date and rainfall total must be retained on-site or made readily available for review. Rain gauge monitoring and recordkeeping may be temporarily suspended during a given monitoring period if a qualifying storm event has occurred and the required sampling and analyses or visual observations have been performed.

2. Representative Discharge Samples

(a) All samples must be representative of the discharge.

(1) Sampling should be conducted within the first 30 minutes of discharge using a grab sample. Sampling from retention ponds described in Part III, Section D.1.b. above should be conducted within 30 minutes of the initiation of discharge from the pond. If it is not practicable to collect the sample or to complete the sampling within the first 30 minutes, then 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.

In the case of snowmelt, samples must be taken during a period with a measurable discharge.

(2) If alternate sampling requirements are defined in the permit where numeric effluent limitations have been established, the permittee shall comply with the requirements described in the section with the numerical effluent limits; however, other applicable portions of this section will still apply.

(3) Authorized Storm Water Discharges that Combine with Other Permitted Flows. If storm water discharges authorized under this general permit combine with other storm water or with wastewater authorized under a separate permit, then sampling must be conducted at a point before the waters combine.

(4) Non-Storm Water Discharges. Monitoring of allowable non-storm water discharges is only required when they are commingled with storm water discharges associated with industrial activity.

(b) Representative Discharges from Substantially Similar Outfalls.

(1) Monitoring requirements apply to all outfalls authorized by this permit, unless the permittee establishes substantially similar outfall(s). If discharges of storm water through two (2) or more outfalls are substantially the same, then sampling and monitoring may be conducted at only one (1) of those outfalls that are substantially identical, and the results may be reported as representative of the discharge from the substantially similar outfall(s).

Before results may be submitted as representative of discharges from substantially similar outfalls, the permittee shall ensure that the SWP3 includes a description of all outfall locations and a detailed justification of why the discharge qualities from the outfalls are substantially similar.

To determine if outfalls are substantially similar, the following characteristics of each outfall must be compared:

a. the industrial activities that occur in the drainage area to each outfall;

b. significant materials stored or handled within the drainage area to each outfall; and

c. the management practices and pollution control structures that occur within the drainage area of each outfall.

(2) Substantially similar outfalls may be established for the following monitoring requirements described in this general permit:

a. Quarterly Visual Monitoring (Part III, Section B.3);

b. Hazardous Metals Monitoring (Part III, Section C); and

c. Benchmark Monitoring (Parts IV and V)

(3) Substantially similar outfalls may not be established for the following:

a. Outfalls with any non-storm water discharges; and

b. Outfalls with discharges subject to numeric effluent limits listed in Part V (sector-specific effluent limits).

(4) The following information must be documented in the SWP3 if the substantially similar outfall exception is being used for any required monitoring:

a. location of each of the substantially similar outfalls;

b. description of the general industrial activities conducted in the drainage area of each outfall;

c. description of the control measures implemented in the drainage area of each outfall;

d. description of the exposed materials located in the drainage area of each outfall that are likely to be significant contributors of pollutants to storm water discharges;

e. estimate of the runoff coefficient of the drainage areas;

f. explanation regarding why the outfalls are expected to discharge substantially identical effluents; and

g. assurance that control measures have been assessed and modified as appropriate for each outfall represented by the monitored outfall, if necessary due to storm water contamination being identified through visual assessment of substantially identical outfall.

3. Monitoring Periods

(a) Sampling, inspections, and examinations that are required on a quarterly basis must be conducted during the following periods:

First (1st) quarter - January 1 thru March 31;
Second (2nd) quarter - April 1 thru June 30;
Third (3rd) quarter - July 1 thru September 30; and
Fourth (4th) quarter - October 1 thru December 31.

Permittees shall begin required sampling, inspections, and examinations on a quarterly basis in the first full quarter following submission of a NOI.

(b) Sampling, inspections, and examinations that are required on a semiannual basis must be conducted during the following periods:

First (1st) period - January 1 thru June 30; and
Second (2nd) period - July 1 thru December 31.

Permittees shall begin required sampling, inspections, and examinations on a semiannual basis in the first full period following submission of a NOI.

(c) Monitoring, inspections, and examinations that are required on an annual basis must be conducted before December 31st of each calendar year, beginning with the calendar year that includes the first full quarter following submittal of an NOI.

4. Exceptions to Monitoring Requirements

(a) Adverse Conditions.

(1) Requirements to sample, inspect, examine or otherwise monitor storm water discharges within a prescribed monitoring period may be temporarily suspended for adverse conditions. Adverse conditions are conditions that are either dangerous to personnel (e.g., high wind, excessive lightning) or conditions that prohibit access to a discharge (e.g., flooding, freezing conditions, extended periods of drought). Adverse conditions that result in the temporary suspension of a permit requirement to sample, inspect, examine, or otherwise monitor storm water discharges must be documented and included as part of the SWP3. Documentation must include the date, time, names of personnel that witnessed the adverse condition, and the nature of the adverse condition.

(2) Monitoring Waivers. When monitoring is temporarily suspended due to adverse conditions, that monitoring must be conducted in the next monitoring period, in addition to any monitoring required for that period. If the temporarily suspended monitoring requirement cannot be fulfilled during the next monitoring period, then it is permanently waived.

(3) The SWP3 must include records of why monitoring was temporarily suspended due to adverse conditions.

(b) Inactive Facilities. Permitted facilities in this inactive status must provide written notice to the executive director of this status. Following this notification, permit requirements to sample, inspect, examine, or otherwise monitor storm water discharges are waived during the period that a facility maintains inactive status, unless the requirements in Part V. of this permit include specific requirements for inactive facilities.

Inactive facilities must notify the executive director in writing at least 48 hours before commencing industrial activities and transferring to active status.

5. Records Retention

Monitoring and reporting records, copies of all other records required by this general permit, and records of all data used to complete the application for this general permit must be retained at the facility or must be made readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction for a period of three (3) years from the date of the record or sample, measurement, report, application, or certification. This period must be extended at the request of the executive director.

The SWP3 must be maintained, and be made readily available for inspection and review uon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction. Additionally, a copy of all SWP3s for the preceding three (3) year period must be maintained and made readily available for review. In circumstances where the number of revisions to the SWP3 makes this requirement burdensome, a log or record of revisions for the preceding three (3) year period may be maintained and made available.

If the general permit is terminated or allowed to expire without renewal, the SWP3 must be maintained and made readily available for review for a minimum period of one (1) year following cessation of permit coverage.

6. Monitoring and Inspection Documentation

The procedures for conducting the required analytical monitoring must be documented in the SWP3.

(a) For each type of monitoring required in the permit, the SWP3 must include the following:

(1) a list of locations where samples are collected, including any determination that two (2) or more storm water only outfalls are considered to be substantially similar;

(2) parameters that must be sampled, including the frequency of sampling for each parameter;

(3) schedules for conducting monitoring activities;

(4) any numeric control values applicable to discharges from each outfall (e.g., benchmark sampling levels, numeric effluent limitations, or other requirements); and

(5) procedures for gathering storm event data.

(b) if the permittee is not conducting monitoring due to claiming an inactive and unstaffed site, the information to support this claim must be included in the SWP3.

(c) The procedures for performing the inspections specified by this permit must be documented in the SWP3, including routine facility inspections, quarterly visual assessment of storm water discharges, and comprehensive site inspections.

For each type of inspection performed, the SWP3 must identify the person(s) or positions of person(s) responsible for inspection; schedules for conducting inspections, including tentative schedule for facilities in climates with irregular storm water runoff discharges; and specific items to be covered by the inspection, including schedules for specific outfalls.

Section E. Standard Permit Conditions

30 TAC Chapter 305 requires certain regulations appear as standard conditions in waste discharge permits. 30 TAC §§305.121 - 305.129, Subchapter F, Permit Characteristics and Conditions, as promulgated under the Texas Water Code §§5.103 and 5.105, the Texas Health and Safety Code §§361.017 and 361.024(a), and those sections of 40 CFR Part 122 adopted by reference by the Commission, establish the characteristics and standards for waste discharge permits. This section includes these conditions and incorporates them into this general permit. More specific requirements for some of these standard permit conditions may be defined for specific sectors of industrial activity that are authorized to discharge under this general permit.

1. General Conditions

(a) Duty to Comply.

(1) Submission of an NOI for permit coverage is an acknowledgment that the applicant agrees to comply with the conditions of the general permit. Acceptance of authorization under the provisions of this general permit constitutes acknowledgment and agreement that the permittee will comply with all the terms and conditions embodied in the permit, and the rules and other orders of the Commission.

(2) The permittee has a duty to comply with all conditions of the permit. Failure to comply with any permit condition constitutes a violation of the permit and the Texas Water Code or the Texas Health and Safety Code and is grounds for enforcement action, for revocation or suspension of coverage under this general permit, and for requiring a permittee to apply for a TPDES individual permit or coverage under an alternative general permit.

(b) Toxic Pollutants.

(1) If any toxic effluent standard or prohibition is promulgated according to the Texas Water Code §26.023 for a toxic pollutant that is present in the discharge and that standard or prohibition is more stringent than the conditions of this general permit, this general permit must be modified or revoked and reissued to conform to the toxic effluent standard or prohibition.

(2) The permittee shall comply with effluent standards or prohibitions established according to the Texas Water Code §26.023 for toxic pollutants within the time provided in the regulations that established those standards or prohibitions, even if this general permit has not yet been modified to incorporate the requirement.

(c) Permit Flexibility. Authorization under this general permit may be modified, suspended or revoked for cause according to 30 TAC §§305.62 and 305.66 and the Texas Water Code Section §7.302. The filing of a notice of planned changes or anticipated noncompliance does not stay any permit condition.

(d) Property Rights. A permit does not convey any property rights of any sort, or any exclusive privilege.

(e) Duty to Provide Information. The permittee shall furnish to the executive director, upon request, any information, including records that are maintained as a requirement of this permit, necessary to determine whether cause exists for revoking, suspending, or terminating authorization under this general permit.

(f) Criminal and Civil Liability.

(1) As provided by state law, the permittee is subject to administrative, civil and criminal penalties, as applicable, for negligently or knowingly violating the Clean Water Act, the Texas Water Code, Chapters 26, 27, and 28, and Texas Health and Safety Code, Chapter 361, including but not limited to: knowingly making any false statement, representation, or certification on any report, record, or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance; falsifying or tampering with or knowingly rendering inaccurate any monitoring device or method required by this permit; or violating any other requirement imposed by state or federal regulations. Nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

(2) Any false or materially misleading representation or concealment of information required to be reported by the provisions of the permit or applicable regulation, which avoids or effectively defeats the regulatory purpose of this general permit, may subject the permittee to criminal enforcement.

(g) Severability. The provisions of this general permit are severable and if any provision of this permit or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this general permit, shall not be affected thereby.

2. Proper Operation and Maintenance

(a) Need to Halt or Reduce Not a Defense. It is not a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this general permit.

(b) Duty to Mitigate. The permittee shall take all reasonable steps to minimize or prevent any discharge or other permit violation that has a reasonable likelihood of adversely affecting human health or the environment.

(c) Operation of Treatment and Control Systems.

(1) The permittee shall at all times ensure that the facility and all of its systems of collection, treatment, and disposal are properly operated and maintained in a manner that will minimize discharges of excessive pollutants and will achieve compliance with the conditions of this permit. Proper operation and maintenance also include adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary systems that are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

(2) The permittee shall provide an adequate operating staff that is duly qualified to carry out operation, maintenance, and testing functions required to ensure compliance with the conditions of this general permit.

(d) Anticipated Noncompliance. The permittee shall give advance notice to the executive director of any planned changes in the permitted facility or activity that may result in noncompliance with permit requirements.

3. Inspection and Entry Requirements

(a) Inspection and Entry. Inspection and entry must be allowed as prescribed in the Texas Water Code Chapters 26, 27, and 28, and Texas Health and Safety Code Chapter 361.

(b) Entry to Public or Private Property. The members of the commission and employees and agents of the Commission are entitled to enter any public or private property at any reasonable time for the purpose of inspecting and investigating conditions relating to the quality of surface water in the state or the compliance with any rule, regulation, permit or other order of the commission. Members, employees, or agents of the commission and commission contractors are entitled to enter public or private property at any reasonable time to investigate or monitor or, if the responsible party is not responsive or there is an immediate danger to public health or the environment, to remove or remediate a condition related to the quality of surface water in the state. Members, employees, commission contractors, or agents acting under this authority who enter private property shall observe the establishment's rules and regulations concerning safety, internal security, and fire protection, and if the property has management in residence, shall notify management or the person then in charge of his presence and shall exhibit proper credentials. If any member, employee, commission contractor, or agent is refused the right to enter in or on public or private property under this authority, the executive director may invoke the remedies authorized in Texas Water Code §7.002.

4. Monitoring and Sampling

(a) Representative Sampling. Samples and measurements taken for the purpose of monitoring must be representative of the monitored activity or activities and must be

taken at an outfall or outfalls that will best represent the types of industrial activity or activities conducted at a facility site. If no obvious outfall location is present (e.g., a diffuse point source), the permittee may need to create a sampling point. This may include creating a depression or using physical means (e.g., sandbags or curbs) to direct the runoff for easier collection for sampling and measurement purposes.

(b) Monitoring Procedures.

(1) Unless otherwise specified in this permit, test procedures for the analysis of pollutants shall comply with procedures specified in 30 TAC §§319.11 - 319.12.

(2) All laboratory tests submitted to demonstrate compliance with this permit must meet the requirements of 30 TAC Chapter 25, Environmental Testing Laboratory Accreditation and Certification.

(c) Monitoring Results. Monitoring results must be provided at the intervals specified in this general permit.

(d) Additional Monitoring by the Permittee. If the permittee monitors any pollutant more frequently than required by this general permit using approved analytical methods, all results of the monitoring must be included in the calculation and reporting of the values recorded on the DMR form and must be included in any other calculation, record, or reports required to be maintained as a provision of this general permit. Increased frequency of sampling must be indicated on the DMR.

5. Records Requirements

(a) Retention of Records.

(1) The period records are required to be retained must be automatically extended to the date of the final disposition of any administrative or judicial enforcement action that may be instituted against the permittee.

(2) Monitoring and reporting records, including records of calibration and maintenance, and copies of all records and reports required by this permit, must be retained at the facility or must be readily available for review by a TCEQ representative for a period of three years from the date of the record or sample, measurement, report, application or certification unless otherwise specified in this permit. This period must be extended at the request of the Executive Director.

(b) Record Contents.

Records of monitoring must include, at a minimum, the following:

(1) date, time, and place of sample or measurement;

(2) identity of the individual who collected the sample, made the measurement or observation, or performed the analysis;

(3) date and time the sample, measurement, or observation was made, and the analysis conducted;

(4) identity of the individual and laboratory who performed the analysis;

(5) technique or method of analysis;

(6) results of the measurement, observation, or analysis; and

(7) quality assurance/quality control records.

6. Reporting Requirements

(a) Self-Reporting of Numeric Effluent Limits Results.

(1) Results of analyses for determining compliance with numeric effluent limitations must be recorded on a discharge monitoring report (DMR). The DMR must either be an original EPA No. 3320-1 form, a duplicate of the form, or as otherwise provided by the executive director.

(2) Monitoring must be conducted prior to December 31st for each annual monitoring period. Results of the monitoring must be recorded on a DMR and made available by March 31 of the following year as described below:

(3) DMRs for hazardous metals sampling (see Part III, Section C.1. of this general permit) must either be retained at the facility or must be otherwise made readily available for review upon request by March 31st of the following year.

(4) In addition, DMRs for the following sampling results must be submitted to the TCEQ at the address shown on the DMR and to the appropriate TCEQ Regional Office:

a. Noncompliance with any effluent limit (e.g. hazardous metals effluent limits) (also see Part III, Section E.6.(b) below), or

b. Results of all sampling and monitoring performed to comply with effluent limitations guidelines, or ELGs (40 CFR Parts 400 through 471) as described in Part V of this permit (See Part V, Sections A.7., C.4., D.4., E.5., J.7., and O.5.). If no discharge occurs from facilities subject to ELGs under these sections, a DMR must be submitted that indicates no discharge occurred during the reporting period. In addition to reporting requirements for numeric effluent limits that are recorded on DMRs, the permittee shall report to the TCEQ the results of all sampling and monitoring performed to comply with any non-numeric as described in Part V of this permit, and this information shall be submitted along with the DMR form, by March 31 of each year.

(b) Noncompliance Notification.

(1) According to 30 TAC §305.125(9) any noncompliance that may endanger human health or safety, or the environment, must be reported by the permittee to the TCEQ. Report of such information must be provided orally or by electronic facsimile transmission (fax) to the TCEQ regional office within 24 hours of becoming aware of the noncompliance. A written report must be provided by the permittee to the TCEQ regional office and to the TCEQ Enforcement Division (MC-224) within five working days of becoming aware of the noncompliance. The written report must contain:

a. a description of the noncompliance and its cause;

b. the potential danger to human health or safety, or the environment;

c. the period of noncompliance, including exact dates and times;

d. if the noncompliance has not been corrected, the anticipated time it is expected to continue; and

e. steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance, and to mitigate its adverse effects.

(2) In addition to the above, any violation that deviates from the permitted effluent limitation by more than 40% must be reported in writing to the appropriate TCEQ regional office and to the Enforcement Division (MC-224) within five working days of becoming aware of the noncompliance.

(3) Other Noncompliance.

In addition to the reporting requirements listed in Part III, Sections E.6.(b)(1) and (2) above, any noncompliance with the permit must be reported in writing to the TCEQ:

a. Non-compliance with an effluent limitation for a discharge subject to federal numeric effluent limitations guidelines (40 CFR Subchapter N – Parts 400-471) must be recorded on a DMR. All DMRs recording the compliant annual sampling results must be submitted to the appropriate regional office of the TCEQ by March 31st of the following year. This requirement is in addition to the reporting requirement for all results of ELG sampling as described in Part III, Section E.6.(a)(4) above.

b. Any non-compliance with an effluent limit for any of the hazardous metals required in Part III, Section C.1 of this permit must be recorded on a DMR and reported at a frequency of at least once per year. The DMR must be submitted by March 31st of the following year to the address shown on the DMR and to the appropriate regional office.

c. Any other noncompliance(s) with the general permit must be reported to the TCEQ by March 31 following the calendar year in which the noncompliance(s) occurred. The permittee shall report any additional noncompliance(s) not described above under this paragraph to the TCEQ, Information Resource Division, MC-213, or to the address shown on a reporting form, if one is made available by TCEQ. The permittee may meet this requirement by submitting a copy of the Annual Comprehensive Site Compliance Inspection Report (see Part III, Section B.5.(b) or by submitting a narrative explanation of the noncompliance(s).

(c) Signatory Requirements for Reports and Certifications. All reports and certifications required in this permit or otherwise 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).

(d) Other Information. When the permittee becomes aware that it either submitted incorrect information or failed to submit any relevant facts on an NOI, NOT, NEC, NOC, or any report, it must promptly submit the facts or information to the executive director.

7. Solid Waste

(a) Industrial Solid Waste:

Facilities that generate industrial solid waste as defined in 30 TAC §335.1 must comply with these provisions:

(1) Any solid waste, as defined in 30 TAC §335.1, generated by the permittee during the management and treatment of storm water, must be managed according to all applicable provisions of 30 TAC Chapter 335, relating to Industrial Solid Waste and Municipal Hazardous Waste.

For the purpose of storm water treatment, a solid waste management unit includes structural controls such as detention ponds, retention ponds, or other similar dedicated ponds used for removal of pollutants in storm water, and does not include other control structures such as berms; grass swales; pipes and ditches (or similar storm water conveyances); or silt fences.

(2) Storm water that is being collected, accumulated, stored, or processed within a solid waste management unit, before discharge through any final outfall authorized by this permit, is considered to be solid waste until the storm water passes through the actual point source discharge, and must be managed according to all applicable provisions of 30 TAC Chapter 335.

(3) The permittee shall provide written notification, pursuant to the requirements of 30 TAC §335.6, to the Corrective Action Section (MC-127) of the Remediation Division informing the Commission of any closure activity involving a Solid Waste Management Unit, at least 90 days prior to conducting such an activity.

(4) Construction of any solid waste management unit requires the prior written notification of the proposed activity, pursuant to the requirements of 30 TAC §335.6(a) to the Registration and Reporting Section (MC 129) of the Permitting and Registration Support Division. No person shall dispose of industrial solid waste or municipal hazardous waste, including sludge or other solids from storm water treatment processes, prior to fulfilling the deed recordation requirements of 30 TAC §335.5.

(5) The permittee shall keep management records for all sludge or other waste removed from any storm water treatment process. These records must fulfill all applicable requirements of 30 TAC Chapter 335 and must include the following, as it pertains to wastewater treatment and discharge:

a. volume of waste and date generated from treatment process;

b. volume of waste disposed of onsite or shipped off-site;

c. date of disposal;

d. identity of hauler or transporter;

e. location of disposal site; and

f. method of final disposal.

The above records must be updated on a monthly basis. The records must be retained at the facility or must be readily available for review by authorized representatives of the TCEQ for at least five years.

(b) Municipal Solid Waste:

All facilities regulated under this general permit that generate municipal solid waste must comply with applicable rules and regulations, including 30 TAC Chapter 330.

Part IV. BENCHMARK MONITORING REQUIREMENTS

Certain industrial activities are required to conduct additional sampling for the purpose of characterizing the discharge from the regulated activity (ies). Not all sectors of industrial activity are required to conduct benchmark sampling. Refer to Part V for the sampling requirements within each regulated industrial sector.

Section A. Use of Benchmark Data

1. Monitoring for Benchmark Parameters in Discharges

The permittee shall monitor the discharge(s) from regulated industrial activities as required in Part V of this general permit, for the benchmark parameters specified within each section of Part V. Monitoring is required for all industrial sector(s) listed in Part V of this permit that are applicable to the permittee's facility/site. This includes the primary industrial activity and any co-located industrial activities (i.e., secondary industrial activities) that are conducted at the site and are described in this permit.

(a) The permittee shall compare the results of analyses to the benchmark values listed below in Table 3 for any pollutant(s) that the permittee is required to monitor in this general permit, and shall 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 may be necessary.

Table 3 List of Benchmark Parameters and Values

Pollutant	**Benchmark value (mg/L)**
Aluminum, total	1.2
Ammonia-nitrogen	2.5
Antimony, total	0.636
Arsenic, total	0.010**
Beryllium, total	0.13
BOD5	30
Cadmium,total	0.001**
COD	60
Copper, total	0.030
Cyanide, total	0.02
Iron, total	1.3
Lead, total	0.010
Magnesium, total	1.4
Manganese, total	1.0
Mercury, total	0.0002**
Nickel, total	1.417
Nitrate-nitrite, nitrogen	0.68
Oil and grease	10
pH	6.0-9.0 S.U.
Phosporous	1.25

Pollutant	Benchmark value (mg/L)
Selenium, total	0.01**
Silver, total	0.002**
TSS	100*
Turbidity	5 NTU above background
Zinc, total	0.16

* The TSS benchmark value is 50 mg/L for portions of Sectors A (SIC 2411, 2421), C (2812-2819), E (3251-3259, 3271-3275), and U (2041-2048); and for all of Sectors D, H, J, O, Q, and AA.

**The benchmark values in Part V, Sector G for waste rock and overburden piles may differ from the value in this table.

(b) The permittee is not eligible for a sampling waiver under Part III, Section C. of this permit for any hazardous metals that are required to be sampled as part of benchmark monitoring. The permittee is subject to the effluent limitations in Part III, Section C. for any monitoring for hazardous metals that is conducted at a final outfall.

(c) Sampling, monitoring, and analyses must be conducted according to procedures specified in Part III, Section E4. of this permit unless otherwise specified and using test procedures with minimum analytical levels (MALs) at or below benchmark values for all the benchmark parameters for which sampling is required.

2. Background Concentrations

If during benchmark monitoring the average concentration of a pollutant exceeds a benchmark value and it is determined that the exceedance is attributable solely to the presence of that pollutant in the natural background, the permittee is not required to perform corrective action or additional benchmark monitoring provided that:

(a) the average concentration of the benchmark monitoring results are less than or equal to the concentration of the pollutant in the natural background;

(b) the permittee documents in the SWP3 the supporting rationale for concluding that benchmark exceedance are attributable solely to natural background pollutant levels, as outlined in Part IV, Section A.2.of this permit. Any data previously collected (including literature studies) must be included in the supporting rationale that describe the levels of natural background pollutants in the storm water discharge; and

(c) the permittee notifies TCEQ in writing during the reporting period for the sampling period that the permittee determined the benchmark exceedance are attributable solely to natural background pollutant levels.

Natural background pollutants include substances that are naturally occurring in the soil or groundwater. Natural background pollutants do not include legacy pollutants from earlier activity at the site, or pollutants in runon from neighboring sources that are not naturally occurring. Background concentrations may be identified by laboratory analyses of samples of storm water runon to the permitted facility, laboratory analyses of samples of storm water runoff from adjacent non-industrial areas, or by identifying the pollutant as a naturally occurring material in soil at the site.

3. Pollution Prevention Team

The Pollution Prevention Team must investigate the cause for each exceedance and must document the results of this investigation in the SWP3 within 90 days following the sampling event.

The Pollution Prevention Team investigation must identify the following:

(a) any additional potential sources of pollution, such as spills that might have occurred;

(b) necessary revisions to the Good Housekeeping Measures section of the SWP3;

(c) additional BMPs, including a schedule to install or implement the BMPs; and

(d) other parts of the SWP3 for which revisions are appropriate.

Background concentrations of specific pollutants may be considered during the investigation as described in Part IV, Section A.2. above. If the Pollution Prevention Team is able to relate the cause of the exceedance to background concentrations, then subsequent exceedance of benchmark values for that pollutant may be resolved by referencing the earlier finding in the SWP3.

4. Exception for Inactive and Unstaffed Sites

The requirement for benchmark monitoring does not apply at a facility that is inactive and unstaffed, provided that there are no industrial materials or activities exposed to storm water and that the permittee performs the following:

(a) include a written statement in the SWP3 stating that the site is inactive and unstaffed, and that there are no industrial materials or activities exposed to storm water. This statement must be signed and certified in accordance with 30 TAC §305.128; and

(b) immediately begin complying with the applicable benchmark monitoring requirements in this section if circumstances change and industrial materials or activities become exposed to storm water, or the facility becomes active or staffed, as this creates a condition where the exception no longer applies. Benchmark monitoring must be resumed as if in the first year of permit coverage. The permittee must indicate in the first benchmark monitoring report that the facility has materials or activities exposed to storm water or has become active or staffed.

(c) If a site or facility is not qualified for this exception at the time authorization is obtained under this permit, but becomes qualified because the facility is inactive and unstaffed at some point during the permit term, and there are no industrial materials or activities that are exposed to storm water, then the permittee must notify TCEQ in writing of this change in the next benchmark monitoring report. Benchmark monitoring may be discontinued once TCEQ has been notified in writing, and a certification statement has been prepared and signed and certified in accordance with 30 TAC §305.128.

5. Adverse Weather Conditions

Sampling under this section is subject to the exceptions related to adverse weather conditions or drought in accordance with Part III, Section D.4. of this general permit.

Section B. Benchmark Monitoring Requirements

The benchmark monitoring parameters for each industrial sector are listed in Part V of this general permit under the individual sectors. Benchmark monitoring must be conducted once every six months for four (4) years following permit issuance.

1. Monitoring Periods

(a) Semiannual sampling must be initiated during the first monitoring period (January through June) in the first calendar year (January through December) following permit issuance, and then once during each semiannual monitoring period (i.e., January through June and July through December) during the next four years, except that a waiver is available for the third and fourth year according to Part IV, Section B.1.(c) below.

(b) Operators of industrial facilities that obtain coverage after the beginning of the first monitoring period (January through June) of the first calendar year following permit issuance shall initiate benchmark monitoring during the first monitoring period (January through June or July through December) that falls within the first calendar year following submittal of the NOI. Sampling must be conducted once per semiannual monitoring period (January through June and July through December) thereafter, for a total of four (4) years, or eight (8) semiannual monitoring periods. A waiver is available if the annual average results of monitoring during the first two (2) years are all below benchmark levels, in accordance with Part IV, Section B.1.(c) below.

(c) Waiver from Benchmark Monitoring. If the annual average results of benchmark sampling for the first two monitoring years are all below the benchmark levels, the permittee is not required to conduct benchmark monitoring during the third and fourth monitoring years. The annual average result is the average of all samples collected for a particular pollutant for a specific SIC code during the previous calendar year, January through December. If sampling for any monitoring period was not performed, then the average annual result must be calculated using the remaining samples for that calendar year.

Permittees who obtain a waiver are subject to the following limitations:

(1) The permittee may exercise this waiver from benchmark monitoring, so long as the analytical result for any pollutant limited in the annual hazardous metal monitoring does not exceed the corresponding benchmark monitoring level for that pollutant, if that pollutant is included in the list of parameters in Part V of this permit for which monitoring is required of the permittee.

(2) If during monitoring for annual hazardous metals, sampling to comply with sector-specific effluent specific limits, or any additional sampling performed by the facility operator, an analytical result exceeds the benchmark level for a pollutant for which a benchmark waiver was obtained, the permittee shall investigate the source of the exceedance, make the necessary correction or mitigation (as outlined above in section A) and return to performing benchmark monitoring according to: the requirements of Part IV; the applicable schedule outlined in Part III, Section D.3.; and any sector specific requirements that apply.

(3) This waiver does not affect the requirements for a permittee to sample and analyze its discharge to comply with any numeric effluent limitations established in this permit. (See Part III, Section C, related to hazardous metals monitoring, and Part V for discharges subject to federal effluent limitations guidelines listed in Part V of this permit.

2. Reporting Requirements

(a) Results of analyses for sampling during the first two benchmark monitoring years must be submitted to TCEQ before March 31st of each year following sample collection. The

reported values must be the average yearly result of analysis for each specific pollutant discharged under a specific SIC code, rather than an outfall-by-outfall, basis. The report must be completed on a form provided by the executive director and mailed to the TCEQ's Wastewater Permitting Section (MC-148).

(b) Substantially similar outfalls may be established for benchmark monitoring, in accordance with Part III, Section D.2. of this general permit.

(c) Results of analysis during the third and fourth benchmark monitoring years must be retained on site, unless the results exceed benchmark levels, in which case, the results must be submitted to TCEQ's Wastewater Permitting Section (MC-148) by March 31st of each year following sample collection.

(d) If sampling during any six month period is not conducted for a pollutant due to adverse weather conditions or drought in accordance with Part III, Section D.4. of this general permit, then the reported average annual result must be based on data collected for that year.

glycol, in any calendar year in the three years prior to submittal of an NOI for coverage under this permit. These volumes of deicing materials refer to the combined activities and usage at the airport as a whole, and not independently to each carrier or operator.

(1) Benchmark monitoring is required of all permittees who used urea or ethylene glycol at an airport where the total amount used at the airport meets the criteria listed in this section. Benchmark sampling is not required of a permittee who does not use the listed chemicals, even if the airport did meet the volume criteria that trigger benchmark monitoring.

(2) Benchmark sampling is required at all outfalls that discharge runoff from areas where deicing with urea or ethylene glycol is performed at an airport where the total amount used at the airport as a whole meets the criteria listed above.

(3) For those permittees required to conduct benchmark monitoring, collect the total number benchmark samples required for the year during the time frame as defined in the section for the deicing season, when deicing activities are occurring.

(b) The following subsector must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

Table 28. Benchmark Monitoring Requirements for Subsections in Sector S

SIC Code	Description of Industrial Activity	Benchmark Parameter	Benchmark Value
4512 - 4581	Airport Transportation Facilities with Deicing Activities*	COD Ammonia-Nitrogen pH	60 mg/L 2.5 mg/L 6.0-9.0 S.U.

*100 tons of urea or 100,000 gallons of ethylene glycol in any calendar year during the three years prior to submitting an NOI for coverage under this general permit.

Section T. Sector T of Industrial Activity - Treatment Works

1. Description of Industrial Activity

The requirements of this general permit apply to storm water discharges from activities identified and described as Sector T. Sector T industrial activities are described by the following Industrial Activity Code:

SECTOR T: TREATMENT WORKS

Activity Codes and Description of Industry Sub-sector

TW Certain Wastewater Treatment Plants

2. Covered Storm Water Discharges

The requirements of this general permit apply to storm water discharges from domestic wastewater treatment plants with a design flow of 1.0 million gallons per day or more; with treatment plants or systems that treat, store, recycle, or reclaim domestic sewage, wastewater or sewage sludge (including dedicated lands for sewage sludge disposal located within the onsite property boundaries); or that are required to have an approved pretreatment program (under 40 CFR Part 403).

3. Limitations on Permit Coverage

(a) Prohibition of Wastewater Discharges. The discharge of sanitary wastewater, industrial wastewater, equipment and vehicle wash water, or other wastewater is not authorized by this permit.

(b) Discharge to Wastewater Plant Headworks. Facilities that route all storm water runoff to the wastewater treatment facility headworks in accordance with an individual TPDES permit are not required to obtain additional coverage through this general permit.

4. Additional SWP3 Requirements

The following SWP3 requirements must be conducted in addition to those listed in Part III of this general permit:

(a) Employee Training. At a minimum, training must address the following areas when applicable to a facility: petroleum product management; process chemical management; spill prevention and controls; fueling procedures; general good housekeeping practices; and proper procedures for using fertilizer, herbicides, and pesticides. These requirements are in addition to the training requirements listed in Part III, Section A.4.(f) of this permit.

(b) Site Map. The permittee shall document in the SWP3 where any of the following may be exposed to precipitation or surface runoff: grit, screenings, and other solids handling, storage, or disposal areas; sludge drying beds; dried sludge piles; compost piles; septage or hauled waste receiving station; and storage areas for process chemicals, petroleum products, solvents, fertilizers, herbicides, and pesticides.

(c) Potential Pollutant Sources. The permittee shall document in the SWP3 the following additional sources and activities that have potential pollutants associated with them, if present at the site: grit, screenings, and other solids handling, storage, or disposal areas; sludge drying beds; dried sludge piles; compost piles; septage or hauled waste receiving station; and access roads and rail lines.

(d) Wastewater and Wash Water Requirements. The permittee shall either retain a copy, or reference the location where a copy is located, of all current TPDES permits issued for wastewater and industrial, vehicle and equipment wash water discharges for the facility in the SWP3. If a TPDES permit has not yet been issued, a copy of the pending application(s) must also be kept or referenced in the SWP3. If the wastewater or wash water is handled in another manner, then the SWP3 must describe the disposal method and all pertinent documentation must be retained onsite.

(e) Additional Inspection Requirements. In addition to the information that must be included in the inspections required in Part III of this permit, the following areas must be inspected as well: access roads and rail lines; grit, screenings, and other solids handling, storage, or disposal areas; sludge drying beds; dried sludge piles; compost piles; and septage or hauled waste receiving station.

5. Benchmark Monitoring Requirements

The following subsections must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

Table 29. Benchmark Monitoring Requirements in Subsections in Sector T

Activity Code	Description of Industrial Activity	Benchmark Parameter	Benchmark Value
TW	Certain Wastewater Treatment Plants	BOD5	30 mg/L

Section U. Sector U of Industrial Activity - Food and Kindred Products Facilities

1. Description of Industrial Activity

The requirements under this section apply to storm water discharges from activities identified and described as Sector U. Sector U industrial activities are described by the following SIC codes:

SECTOR U: FOOD AND KINDRED PRODUCTS FACILITIES

SIC Codes *Description of Industry Sub-sector*

2011 – 2015 Meat Products

2021 – 2026 Dairy Products

2032 - 2038 Canned, Frozen and Preserved Fruits, Vegetables and Food Specialties

2041 - 2048 Grain Mill Products

2051 - 2053 Bakery Products

2061 - 2068 Sugar and Confectionery Products

2074 - 2079 Fats and Oils

2082 - 2087 Beverages

2091 - 2099 Miscellaneous Food Preparations and Kindred Products

2111 - 2141 Tobacco Products

2. Limitations on Coverage

Prohibition of Wastewater Discharges. The following discharges are not authorized by this permit: boiler blowdown, cooling tower overflow and blowdown, ammonia refrigeration purging, and vehicle washing and clean-out operations.

3. Additional SWP3 Requirements

Employee Training Program and Employee Education. The program must include training in pest control application procedures and chemical storage procedures.

Inventory of Exposed Materials. The inventory must include a list of the pesticides, rodenticides, herbicides, and fungicides applied or stored on the facility property.

Narrative Description. A narrative description of all activities and potential sources of pollutants that may reasonably be expected to add significant amounts of pollutants to storm water discharges from pest control and chemical storage procedures must be included.