Construction Stormwater Permit Renewal Workshop

May 18, 2018

Presenter: Marty Savage, Senior Environmental Specialist
How we protect Water Quality

Our Mission in the Environmental Quality Division is to protect human health, property, and the environment.
Why do we inspect and monitor Water Quality?
Regulatory Background

What Is the "Texas Pollutant Discharge Elimination System (TPDES)"? regulatory program to control discharges of pollutants to surface waters.

- **Clean Water Act, NPDES**: National Pollutant Discharge Elimination System (NPDES) permit created (U.S. Congress, 1972, as amended)
- **TXR150000 Construction General Permit**: Texas assumed the NPDES requirements, creating TPDES (Sept. 14, 1998)
- **MS4 Stormwater Permit**: Municipal Separate Storm Sewer System (MS4) Permit (Latest Permit Effective: March 15, 2018)
Renewal Overview

• TCEQ renewed TXR150000 on March 5, 2018
• New 5 year permit term - Expires March 5, 2023
• 90-day grace period for active construction sites to renew (June 3, 2018)
• Notices of Intent (NOI) - Renew through TCEQ (Paper or STEERS)
• Small Construction Site Notices (SCSN) - Need to be re-signed
• Secondary Operator Construction Site Notices (CSN) - Need to be re-signed
• Submit NOIs & CSNs to ConstructionStormwater@fortworthtexas.gov
TXR150000 Renewal Changes - cont’d

Electronic Reporting Requirements:

• Effective Sept. 1, 2018, all NOIs, NOCs, and NOTs will be required to be submitted to the TCEQ electronically via STEERS

• Waiver from this requirement
  (Form: TCEQ -20754)

Section 4. Reason for the Waiver
Select the reason for requesting a waiver from electronic reporting:

☐ I don’t have a computer.
☐ I don’t have internet access.
☐ I have limited internet speed.
☐ I need additional training on electronic reporting.
☐ I have a religious objection to electronic reporting.

PAPERLESS PERKS INCLUDE:
• Less paper! Save the trees!
• Automatic authorization of your permit
• Save $100 ($325 for paper NOI vs. $225 for electronic NOI)
• No more stamps
• No more waiting for the mail
New Questions on NOI applications:

Section 4: General Characteristics

(g) What is the estimated start date of the project? ______
(h) What is the estimated end date of the project? ______
(i) Will concrete truck washout be performed at the site?  ☐ Yes  ☐ No

Question Removed from Paper NOIs: (*Note: It does appear to be on the electronic STEERS application.)

j) Are any of the surface water bodies receiving discharges from the construction site on the latest EPA-approved CWA 303(d) List of impaired waters?
☐ Yes - If the answer is Yes, provide the name(s) of the impaired water body(s) below.  
☐ No
TXR150000 Renewal Changes - cont’d

• Added clarifications regarding redacted signatures for Small CSNs and Secondary Operator CSNs

  (“Posted site notices may have a redacted signature as long as there is an original signed and certified … Construction site notice, with a viewable signature, located on-site and available for review by an applicable regulatory authority.”)

• Clarified stabilization requirements during frozen conditions. During frozen conditions, only “vegetative” stabilization methods can be precluded. If temporary stabilization is required, you should use alternative, non-vegetative stabilization controls.

• Clarified the 90-day grace period:
  • Grace period is in effect IF the permit is renewed or until the NOT is submitted
  • BUT if permit is not renewed by June 3, 2018 and the site is still active, the NOI is considered expired 3/5/18 (not 6/3/18)
• Clarified that impaired waters are those waterbodies that are listed in the Texas Integrated Report of Surface Water Quality as category 4 or 5 and waterbodies listed on the Clean Water Act §303(d) list

• Clarified that this permit does not authorize wastewater discharges from concrete washouts; only land disposal is authorized – proper containment must be utilized

• Revised the Total Suspended Solids (TSS) benchmark monitoring level for concrete batch-mixing plants (went from 100 mg/L down to 50 mg/L)
TXR150000 Renewal Changes - cont’d

• Revised the definition of Construction Activity to more clearly capture “other construction-related activities” (i.e., soil disturbance that can occur from stockpiling of fill material and demolition)

• Clarified the need to add off-site acreage / acreage from Construction Support Activities in the TOTAL disturbed acreage – must include these off-site areas in SWPPP and BMP Map

• Added under SWPPP section: “NOTE: Construction support activities can also include vehicle repair areas, fueling areas, etc. that are present at a construction site solely for the support construction activities and are only used by operators at the construction site.”

• In the SWPPP, you should include: “locations of all pollutant-generating activities at the construction site and where Construction Support Activities will occur, such as the following: paving operations; concrete, paint and stucco washout and water disposal; solid waste storage and disposal; and dewatering operations.”
New Note on Demolitions:
Part III, Section F. 4. (g) (under section related to SWPPP contents)

“For demolition of any structure with at least 10,000 square feet of floor space that was built or renovated before January 1, 1980, and the receiving waterbody is impaired for polychlorinated biphenyls (PCBs):

i. Implement controls to minimize the exposure of PCB-containing building materials, including paint, caulk, and pre-1980 fluorescent lighting fixtures to precipitation and to stormwater; and

ii. Ensure that disposal of such materials is performed in compliance with applicable state, federal, and local laws.”
Inspection Requirements – Part III Section F.7(b) – new outline in permit

(b) Requirements for Inspections

i. Inspect all stormwater controls (including sediment and erosion control measures identified in the SWP3) to ensure that they are installed properly, appear to be operational, and minimizing pollutants in discharges, as intended.

ii. Identify locations on the construction site where new or modified stormwater controls are necessary.

iii. Check for signs of visible erosion and sedimentation that can be attributed to the points of discharge where discharges leave the construction site or discharge into any surface water in the state flowing within or adjacent to the construction site.

iv. Identify any incidents of noncompliance observed during the inspection.

v. Inspect locations where vehicles enter or exit the site for evidence of off-site sediment tracking.

vi. If an inspection is performed when discharges from the construction site are occurring: identify all discharge points at the site, observe and document the visual quality of the discharge (i.e., color, odor, floating, settled, or suspended solids, foam, oil sheen, and other such indicators of pollutants in stormwater).

vii. Complete any necessary maintenance needed, based on the results of the inspection and in accordance with the requirements listed in Part III.F.6 above.
Added and clarified definitions including:

- Construction Activity
- Construction Support Activity
- Facility or Activity
- Impaired Water
- Infeasible
- Low Rainfall Erosivity Waiver (LREW)
- Permitee
- Receiving Water
- Thawing Conditions
- Waters of the United States
If meeting Final Stabilization by June 3, 2018…

<table>
<thead>
<tr>
<th>STATUS OF PERMIT COVERAGE</th>
<th>NOTIFY MS4</th>
</tr>
</thead>
<tbody>
<tr>
<td>o If construction will be complete &amp; final stabilization achieved within the 90-day grace period, submit NOT to TCEQ</td>
<td>o If construction will be complete &amp; final stabilization achieved within the 90-day grace period, inform your inspector, and email NOT to: <a href="mailto:ConstructionStormwater@fortworthtexas.gov">ConstructionStormwater@fortworthtexas.gov</a></td>
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</tbody>
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<table>
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<tr>
<th>UPDATE YOUR SWPPP</th>
<th>ON YOUR SITE</th>
</tr>
</thead>
<tbody>
<tr>
<td>o Add copy of NOT to your SWPPP</td>
<td>o For sites that will be terminating coverage, ensure that final stabilization is met by June 3, 2018</td>
</tr>
<tr>
<td>o Document final stabilization dates and date of BMP removal</td>
<td>o Remove any and all temporary BMPs</td>
</tr>
<tr>
<td>o Maintain copy of SWPPP for 3 years after NOT</td>
<td></td>
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</tbody>
</table>
## If Renewing Your Permit…  (not meeting final stabilization by June 3, 2018)

### STATUS OF PERMIT COVERAGE

**BY JUNE 3, 2018:**
- Large Sites: Submit NOI to TCEQ  
  (Paper or online via STEERS)
- Large Sites: Re-sign Secondary Operator CSN
- Small Sites: Re-sign SCSN

### NOTIFY MS4

- Email copy of renewed NOI and re-signed CSNs to:  
  ConstructionStormwater@fortworthtexas.gov
- Communicate any updates or questions to your inspector

### UPDATE YOUR SWPPP

- Add new NOI / CSN to your SWPPP
- Add copy of the new TXR150000 Construction General Permit to your SWPPP
- Add any applicable addendums/updates to SWPPP
- Review SWPPP for any other updates (confirm acreage, BMP maps, phasing details, correct Operator's listed, update contact info, verify that inspections are being conducted and documented, etc.)

### ON YOUR SITE

- Small Site: Post re-signed SCSN at construction entrance
- Large Site: Post re-signed Secondary Operator CSN, if applicable
- Large Sites: Update and post LSCN if permit number changed
Notice of Intent (NOI) for an Authorization for Stormwater Discharges Associated with Construction Activity under TDPES General Permit TXR150000

**IMPORTANT INFORMATION**

Please read and use the General Information and Instructions prior to filling out each question on the NOI form. Use the NOI Checklist to ensure all required information is completed correctly. Incomplete applications delay approval or result in automatic denial. Once processed your permit authorization can be viewed by entering the following link into your internet browser: [http://www2.tceq.texas.gov/eqp_dpa/index.cfm](http://www2.tceq.texas.gov/eqp_dpa/index.cfm) or you can contact TCEQ Stormwater Program, [contact info](http://www2.tceq.texas.gov/eqp_dpa/index.cfm)

**Effective September 1, 2018, this paper form must be submitted to TCEQ with a completed electronic reporting waiver form (TCEQ 296794).**

To submit an NOI electronically, enter the following web address into your internet browser and follow the instructions: [https://eqp.tceq.texas.gov/submit/index.cfm](https://eqp.tceq.texas.gov/submit/index.cfm)

**APPLICATION AND PAYMENT**

The application fee for submitting a paper NOI is $325. The application fee for electronic submission of a NOI through the TCEQ electronic system (TESS) is $325.

Payment of the application fee can be submitted by mail or through the TCEQ ePay system. The payment and the NOI must be mailed to separate addresses. To access the TCEQ ePay system enter the following web address into your internet browser: [http://www.tceq.texas.gov/ePay](http://www.tceq.texas.gov/ePay).

Provide your payment information for verification of payment:

- If payment was mailed to TCEQ, provide the following:
  - Check/Money Order Number:
  - Name printed on Check:
- If payment was made via ePay, provide the following:
  - Voucher Number:
  - A copy of the payment voucher is attached to this paper NOI form

**RENEWAL** (This portion of the NOI is not applicable after June 3, 2018)

Is this NOI for a renewal of an existing authorization?  Yes  No

If Yes, provide the authorization number here: [TexARN]

**NOTE:** If an authorization number is not provided, a new number will be assigned.

**SECTION 1: APPLICANT/OWNER**

- a) If the applicant is currently a customer with TCEQ, what is the Customer Number (CN) issued to this entity? CN
  (Refer to Section 1.1 of the Instructions)

- b) What is the Legal Name of the entity (applicant) applying for this permit? The legal name must be spelled exactly as filed with the Texas Secretary of State, County, or in the legal document forming the entity?

- c) What is the contact information for the Operator (Responsible Authority)?
  - Prefix (Mr., Ms., etc.):
  - First and Last Name:
  - Title:
  - Phone Number:
  - Fax Number:
  - E-mail:
  - Mailing Address:
  - City, State, and Zip Code:
  - Mailing Information if outside USA:
  - Territory:
  - Country Code:
  - Postal Code:

- d) Indicate the type of customer:
  - Individual
  - Federal Government
  - Limited Partnership
  - General Partnership
  - Trust
  - Sole Proprietorship (D.B.A.)
  - Corporation
  - Other
  - Estate

- e) Is the applicant an independent operator?  Yes  No
Construction Site Notices (CSN): Re-sign & Date

SMALL CONSTRUCTION SITE NOTICE
FOR THE
Texas Commission on Environmental Quality (TCEQ)
Stormwater Program
TPDES GENERAL PERMIT TXR150000
The following information is posted in compliance with Part IIE.2 of the TCEQ General Permit Number TXR150000 for discharges of stormwater runoff from small construction sites. Additional information regarding the TCEQ stormwater permit program may be found on the internet at:
http://www.tceq.state.tx.us/npa/permits/small_construction.html
Operator Name:
Contact Name and Phone Number:
Project Description: Physical address or description of the site's location, estimated start date and projected end date, or date that disturbed area will be stabilized
Location of Stormwater Pollution Prevention Plan:

For Small Construction Activities Authorized Under Part IIE.2 (Obtaining Authorization to Discharge) the following certification must be completed:

Signature and Title
Date

LARGE CONSTRUCTION SITE NOTICE
FOR THE
Texas Commission on Environmental Quality (TCEQ)
Stormwater Program
TPDES GENERAL PERMIT TXR150000
"SECONDARY OPERATOR" NOTICE
This notice applies to secondary operators of construction sites operating under Part IIE.3 of the TPDES General Permit Number TXR150000 for discharges of stormwater runoff from construction sites equal to or greater than five acres, including the larger common plan of development. The information on this notice is required in Part IIE.3 of the general permit. Additional information regarding the TCEQ stormwater permit program may be found on the internet at:
http://www.tceq.state.tx.us/npa/permits/small_construction.html
Site-Specific TPDES Authorization Number:
Operator Name:
Contact Name and Phone Number:
Project Description: Physical address or description of the site's location, estimated start date and projected end date, or date that disturbed area will be stabilized
Location of Stormwater Pollution Prevention Plan (SWPP):

For Large Construction Activities Authorized Under Part IIE.3 (Obtaining Authorization to Discharge) the following certification must be completed:

Signature and Title
Date

FORT WORTH

**Central Registry Query - Regulated Entity Search**

Search for a person, organization, place, or thing that is of environmental interest to the TCEQ, where regulatory activities or interest to us occur or have occurred in the past.

**Regulated Entity Search**

Option 1: Enter a Regulated Entity Reference Number (RN):

- RN Number: [ ] (9 digits or RN + 9 digits)

Search

Option 2: Complete one or more of these fields:

- Regulated Entity: [ ] (Name or part of name 2-40 characters.)
- Program: -- Select a regulatory program if desired --
- Program ID: [ ] (Permit, registration, or other program identifier.)
- ID Status: [ ] (ID status, only used if program or ID entered.)
- Street Address: [ ] (3-35 characters.)
- City: [ ] (Enter complete or partial city name, 3-30 characters.)
- ZIP Code: [ ] (Must be numeric and 5 digits.)
- County: [ ]

Search Clear
Construction in Fort Worth
Fort Worth Grading Permit Requirements

If your project will disturb 1.0 acre or greater or is a part of a Common Plan of Development, you must obtain a Grading Permit from the City of Fort Worth prior to the start of soil disturbing activities.

Submit Grading Permit Application to CFW Planning and Development (Lower Level, City Hall)

Application will be reviewed by:
• Code - Environmental
• TPW - Stormwater Development Services
• Water Development
• Urban Forestry

Submit ALL documentation to: ConstructionStormwater@fortworthtexas.gov

Get copy of this Grading Permit Checklist here: http://fortworthtexas.gov/env/construction/
Common SWPPP/Paperwork Issues

- TCEQ Permit application not submitted / no permit (NOI, CSN)
- Not having the Owner / Secondary Operator permitted, if applicable
- Confusing the Erosion Control Plan for the full SWPPP
- Documents not signed or signed by incorrect person (See Signatory Authority requirements)
- Failure to meet requirement of including a sedimentation basin in SWPPP for projects that have a drainage area of 10 acres or greater
Common SWPPP/Paperwork Issues

- Regular inspections not completed or not filed with SWPPP
- BMP Map / Erosion Control Plan not updated as changes occur
- SWPPP not being updated regularly (It is a living document)
- Notice of Termination (NOT) submitted prior to Final Stabilization being achieved
- NOT submitted prior to Transfer of Operational Control signed and in place
Common Onsite Issues

- Construction / grading activities starting prior to permit authorization (Grading Permit and TCEQ permit)
- Construction / grading activities starting prior to BMPs being installed
- CSN / SCSN not posted onsite in visible location
- Regular inspections not being conducted
- Not monitoring your outfalls / sediment in outfalls
- SWPPP not kept onsite or readily available
- SWPPP not updated regularly to show current onsite conditions
Common Onsite Issues - cont’d

- BMPs / sediment and erosion controls not being installed as per the plan
- BMPs / sediment and erosion controls not being maintained
- Using insufficient BMPs for your site conditions – alter as needed
- Not addressing tracking of sediment in a timely manner
Common Onsite Issues - cont’d

- Not considering mass grading in phases (whole site graded at one time)
- Dewatering without proper filters and controls
- Placing portable toilets in the street, near an inlet, or not staking down
Common Onsite Issues - cont’d

• Improper storage of chemicals, oils, gas, paints, mortar mixes, and other hazardous waste
• Not containing and regularly removing trash/litter and construction debris
Common Onsite Issues – cont’d

- Temporary stabilization measures not being implemented in areas that have ceased activity for 14 days
- Final stabilization not being achieved
- Removing BMPs onsite prior to final stabilization being complete
- Not removing ALL temporary BMPs from site after final stabilization, including rock check dams

NOTE: A Certificate of Occupancy (CO) from the City is not closure of your TPDES permit
Best Management Practices

- Maintain and upkeep sediment/erosion controls
- Contain/remove construction debris and litter
- Sweep streets and interior driveways regularly
- Maintain construction vehicles; contain, fix leaks
- Store or dispose of hazardous waste, paints, chemicals properly
Best Management Practices

• Have a Spill Prevention Plan; clean spills immediately
• Designate a specific concrete and paint washout area
• During periods of inactivity, establish temporary stabilization
• Select proper vegetation for stabilization (not sunflowers)
• Conduct training for onsite personnel
Be part of the solution and report pollution!

If you see pollution, report it!

Pollution Hotline

Report Online

To report air or stormwater pollution by phone, call: 817-392-1234

For emergency situations, call 9-1-1

http://fortworthtexas.gov/env/
Important Links

City of Fort Worth Links:
Website: http://fortworthtexas.gov/env/construction/
Email: ConstructionStormwater@fortworthtexas.gov

TCEQ Links:
Stormwater General Permit for Construction Activities: https://www.tceq.texas.gov/permitting/stormwater/construction
STEERS: https://www3.tceq.texas.gov/steers/
Environmental - Water Quality Team

Construction Stormwater Program Leads:
Marty Savage
Martha.Savage@fortworthtexas.gov

Eric Mason
Eric.Mason@fortworthtexas.gov

Water Quality Supervisor:
Christina Osterlund
Christina.Osterlund@fortworthtexas.gov

Environmental Program Manager:
Cody Whittenburg
Cody.Whittenburg@fortworthtexas.gov

Our Website: http://fortworthtexas.gov/env/
Email: ConstructionStormwater@fortworthtexas.gov

For Environmental Technical Matters (air, water, land):
Call: 817-392-6088

For Environmental Complaints or other Code-related matters:
Report to: 817-392-1234
Questions ?