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Construction Stormwater Permit Renewal Workshop

May 18, 2018

Presenter: Marty Savage, Senior Environmental Specialist







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Only Rain

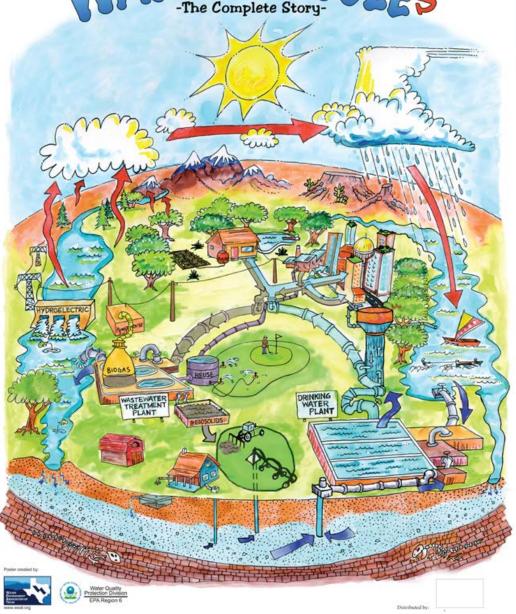
Down The





Only Rain Down the Storm Drain!





Convrider 2013 () | Water Environment Association of Texas

Regulatory Background

Clean Water Act, NPDES

AGENC

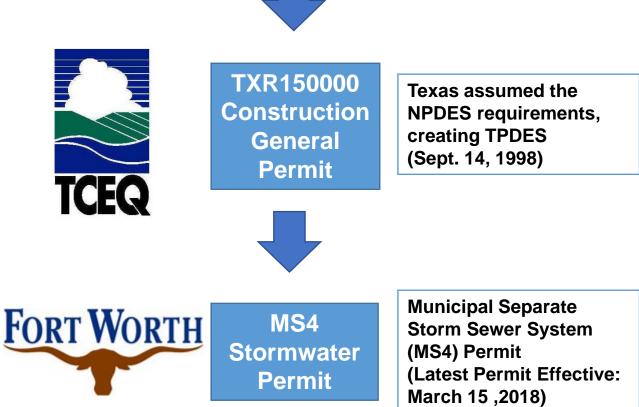


National Pollutant Discharge Elimination System (NPDES) permit created (U.S. Congress, 1972, as amended)

What Is the "Texas Pollutant Discharge Elimination System (TPDES)"?

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Regulatory program to control discharges of pollutants to surface waters.



Renewal Overview

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- 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 <u>ConstructionStormwater@fortworthtexas.gov</u>



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



GENERAL PERMIT TO DISCHARGE UNDER THE

TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM

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

This permit supersedes and replaces TPDES General Permit No. TXR150000, issued March 5, 2013

Construction sites that discharge stormwater associated with construction activity

located in the state of Texas

may discharge to surface water in the state

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

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

EFFECTIVE DATE: March 5, 2018

ISSUED DATE: 2-8-18

For the Commission



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 need additional training on electronic reporting.
- I don't have internet access.
- I have limited internet
- speed.

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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? \Box Yes \Box 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





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 II.E.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:

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, nonvegetative 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)

| Name: | |
|--|--|
| ame and Phone Number: | |
| scription: Physical addrass or n of the site's location, estimated start regiected end date, or date that disturbed be stabilized | |
| of Stormwater Pollution Prevention Plan: | |
| following certification must be completed: (Type) for of law that I have read and understand the eligi MS General Permit TXR15000 and agree to comp has been developed and will be implemented prio en donice is supplied to the coexator of the MSH if d | Inder Part II.E.2. (Obtaining Authorization to Discharge) or Printed Name Person Completing This Certification, Joeritfy under aller requerements for thismage an authorization under Part II.2.3 of the construction, scoreding to permit represents. A copy of this scharger enter an MSA.1 and arrays there are significant penalities for d discharges, including the possibility of file and antipersonnent for d discharges, including the possibility of file and antipersonnent of discharges, including the possibility of file and antipersonnent |



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- 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)

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- Revised the definition of Construction Activity to more clearly capture "other constructionrelated 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:

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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."



2014 Texas Integrated Report - Texas 303(d) List (Category 5)

| | from a point immediately upstream of the confluen in Tarrant County | nce of Village Creek in Tarrant | County to Lake Worth Dam |
|------------------|---|---------------------------------|---------------------------|
| Parameter(s) | | <u>Category</u> | Year Segment First Listed |
| dioxin in edible | tissue | 5a | 2010 |
| 0806_01 | From confluence of Village Creek upstream to confluence of Clear Fork Trinity River | | |
| 0806_02 | From confluence of Clear Fork Trinity River upstream to Lake Worth Dam | | |
| Parameter(s) | | <u>Category</u> | Year Segment First Listed |
| PCBs in edible | tissue | 5a | 1996 |
| 0806_01 | From confluence of Village Creek upstream to confluence of Clear Fork Trinity River | | |
| 0806 02 | From confluence of Clear Fork Trinity River upstream to Lake Worth Dam | | |

Inspection Requirements – Part III Section F.7(b) – new outline in permit

(b) Requirements for Inspections

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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...

STATUS OF PERMIT COVERAGE

 If construction will be complete & final stabilization achieved within the 90-day grace period, submit NOT to TCEQ

NOTIFY MS4

 If construction will be complete & final stabilization achieved within the 90-day grace period, inform your inspector, and email NOT to:

ConstructionStormwater@fortworthtexas.gov

 Communicate any updates or questions to your inspector

UPDATE YOUR SWPPP

- \circ Add copy of NOT to your SWPPP
- Document final stabilization dates and date of BMP removal

Maintain copy of SWPPP for 3 years after NOT

ON YOUR SITE

- For sites that will be terminating coverage, ensure that final stabilization is met by June 3, 2018
- \circ Remove any and all temporary BMPs



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

UPDATE YOUR SWPPP

- o Add new NOI / CSN to your SWPPP
- Add copy of the new TXR150000 Construction General Permit to your SWPPP
- o 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.)

NOTIFY MS4

 Email copy of renewed NOI and re-signed CSNs to:

ConstructionStormwater@fortworthtexas.gov

Communicate any updates or questions to your inspector

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)





Notice of Intent (NOI) for an Authorization for Stormwater Discharges Associated with Construction Activity under TPDES General Permit TXR150000

IMPORTANT INFORMATION

Please read and use the General Information and Instructions prior to filling out each question in 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/wq_dpa/index.cfm or you can contact TCEQ Stormwater Processing Center at 512-239-3700.

ePERMIT

Effective September 1, 2018, this paper form must be submitted to TCEQ with a completed electronic reporting waiver form (TCEQ-20754).

To submit an NOI electronically, enter the following web address into your internet browser and follow the instructions: https://www3.tceq.texas.gov/steers/index.cfm

APPLICATION FEE AND PAYMENT

The application fee for submitting a paper NOI is \$325. The application fee for electronic submittal of a NOI through the TCEQ ePermits system (STEERS) is \$225.

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.

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? D No

If Yes, provide the authorization number here: TXR15

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

SECTION 1. OPERATOR (ADDITIONT)

- 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.a) 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. Miss): | the second s |
|-----------------------------|--|
| First and Last Name: | Suffix: |
| Title: | Credentials: |
| Phone Number: | Fax Number: |
| E-mail: | |
| Mailing Address: | The state of the second state |
| City, State, and Zip Code | 8: |
| Mailing Information if o | utside USA: |
| Territory: | |
| Country Code: | Postal Code: |
| d) Indicate the type of cus | tomer: |
| 🗆 Individual | 🗆 Federal Government |
| 🗆 Limited Partnership | County Government |
| 🗆 General Partnership | D State Government |
| 🗆 Trust | 🗖 City Government |
| 🗆 Sole Proprietorship | (D.B.A.) |
| Corporation | □ Other: |
| 🗆 Estate | |
| e) Is the applicant an inde | pendent operator? 🔲 Yes 🔲 No |

TCEQ-20022 (3/6/2018) Notice of Intent for Construction Stormwater Discharges under TXR150000



Construction Site Notices (CSN): Re-sign & Date



SMALL CONSTRUCTION SITE NOTICE

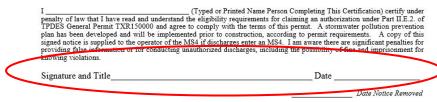
FOR THE Texas Commission on Environmental Quality (TCEQ) Stormwater Program TPDES GENERAL PERMIT TXR150000

The following information is posted in compliance with **Part II.E.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/nav/permits/wq_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 soils will be stabilized | |
| Location of Stormwater Pollution Prevention Plan: | |

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





This notice applies to secondary operators of construction sites operating under Part II.E.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 III.D.2. 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/nav/permits/wq_construction.html

| Operator Name: | |
|--|--|
| Contact Name and Phone Number: | |
| Project Description: Physical address or description of the site's location, and estimated start date and projected end date, or date that disturbed soils will be stabilized. | |
| Location of Stormwater Pollution Prevention Plan (SWP3): | |

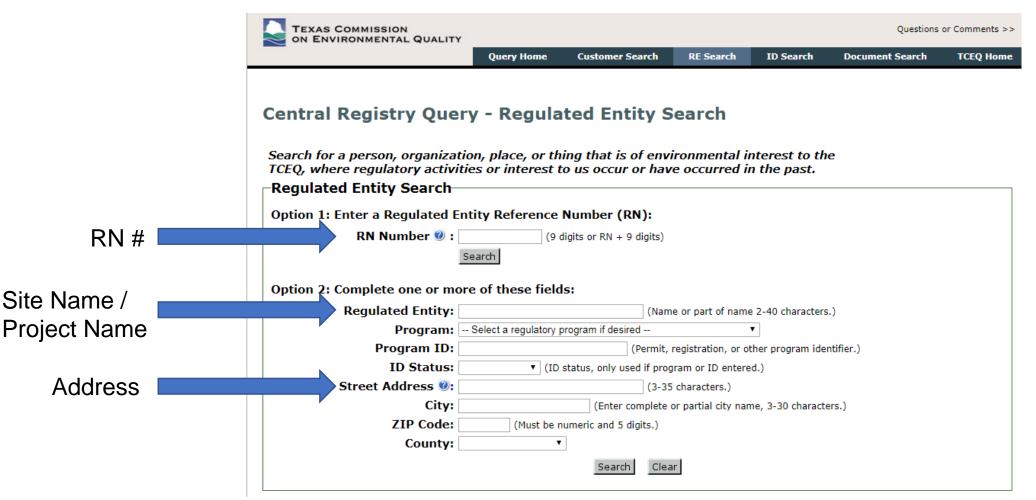
For Large Construction Activities Authorized Under Part II.E.3. (Obtaining Authorization to Discharge) the following certification must be completed:

emoved



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http://www15.tceq.texas.gov/crpub/index.cfm?fuseaction= home.welcome







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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

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Environmental Quality Checklist for Grading Permit

For all submittals to Environmental Quality, electronic copies are preferred and will process faster.

Please allow up to 10 days for review. If further information is requested, please allow for additional days to review.

All submissions must include:

Note: The following items are all a state requirement under the TCEQ's Construction General Permit TXR150000.

Copy of a complete Stormwater Pollution Prevention Plan (SWP3 or SWPPP) as defined by the TCEQ including: (NOTE: The following list is not a complete SWP3, but is provided as a reference.)

- The SWP3 must include a signed certification page
- The SWP3 should include a description of the nature of activity, schedule of the sequence of activities, total number of acres of disturbance, name of receiving waters, detailed erosion control plan/BMP map, description of BMPs to be utilized, inspection schedule, inspector qualifications, copy of current TPDES TXR150000 permit
- Delegation of Authority Page, if applicable
- Delegation of Responsibilities for Operators (if a shared SWP3), if applicable

NOTE: A sedimentation basin or equivalent control measure is required as a BMP measure for areas draining 10 acres or more, per the TPDES permit – if this is not included, a statement must be included detailing why it was not included and what additional BMPs are being implemented.

For projects over 1 acre and under 5 acres and not part of a larger common plan of development:

- Copy of the signed Small Construction Site Notice (SCSN) for each operator
- Copy of Stormwater Pollution Prevention Plan (SWP3)

For projects over 5 acres or part of a larger common plan of development:

- Copy of Notice of Intent (NOI) signed and executed (copy of electronic submittal to TCEQ is acceptable)
- Copy of the Large Construction Site Notice (LCSN) for each operator
- Copy of the signed Secondary Operator's Construction Site Notice (CSN), if applicable
- Copy of Stormwater Pollution Prevention Plan (SWP3)

What is a Common Plan of Development?

For projects that are being developed alongside other projects that disturb greater than 5 acres in total, properties must be permitted as a large site. Projects are also considered a part of a larger Common Plan of Development if they are completed in separate stages or phases. It can include one operator or many operators.

To Submit:

For submittal of documents and for any questions, send emails to <u>constructionstormwater@fortworthtexas.gov</u>. Include grading permit number (CG_-____) for reference.

For additional information and resources please visit:

http://fortworthtexas.gov/env/construction/

https://www.tceq.texas.gov/permitting/stormwater/construction

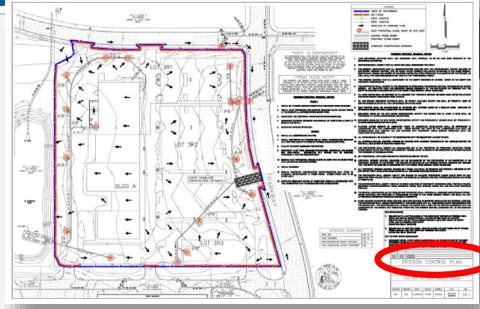
Get copy of this **Grading Permit Checklist** here: http://fortworthtexas.gov/env/construction/

Submit ALL documentation to: ConstructionStormwater@fortworthtexas.gov

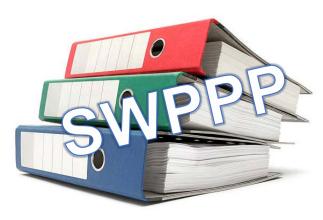
Common SWPPP/Paperwork Issues

- 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









- 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)

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- 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

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 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

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- 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

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- 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: <u>817-392-1234</u>

For emergency situations, call 9-1-1

http://fortworthtexas.gov/env/











Important Links

City of Fort Worth Links:

Website: <u>http://fortworthtexas.gov/env/construction/</u> Email: <u>ConstructionStormwater@fortworthtexas.gov</u>

TCEQ Links:

Stormwater General Permit for Construction Activities: https://www.tceq.texas.gov/permitting/stormwater/construction

Renewed TXR150000 Permit:

https://www.tceq.texas.gov/assets/public/permitting/stormwater/txr150000-cgp.pdf

Fact Sheet for 2018 Renewal:

https://www.tceq.texas.gov/assets/public/permitting/wastewater/general/2018-CGP/2018-TXR150000-CGP-Fact-Sheet.pdf

Additional TCEQ Guidance:

https://www.tceq.texas.gov/permitting/stormwater/construction/WQ_stormwater_c onstruction_guidance.html

STEERS:

https://www3.tceq.texas.gov/steers/

How To Register with STEERS: (New Guide, Effective January 2018) https://www.tceq.texas.gov/assets/public/comm_exec/pubs/rg/rg-531a.pdf





Environmental - Water Quality Team

Construction Stormwater Program Leads: Marty Savage <u>Martha.Savage@fortworthtexas.gov</u>

Eric Mason Eric.Mason@fortworthtexas.gov

Water Quality Supervisor: Christina Osterlund <u>Christina.Osterlund@fortworthtexas.gov</u>

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



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

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

For Environmental Complaints or other Code-related matters:

Report to: 817-392-1234

