

# 2018 Stormwater Construction General Permit (CGP) Renewal TXR150000

Southwest IECA Texas Stormwater  
Conference



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# Construction General Permit

## TPDES No. TXR150000

- Effective March 5, 2018
  - Supersedes and replaces the general permit issued in 2013
  - Expires 5 years from the permit effective date.
- **All active authorizations** expire on the same date the general permit expires.



# CGP Authorized Discharges

- Stormwater associated with construction activity and construction support activities
- Certain non-stormwater discharges
  - uncontaminated water used to control dust
  - uncontaminated air conditioning condensate



# Construction Activity

## What is Construction?

- ✓ Clearing
- ✓ Grading
- ✓ Excavating, or
- ✓ Similar activities that disturb / expose soil
  - Demolition, infilling pits, and stockpiling soil for construction

## What is not Construction?

- × Certain routine maintenance activities
  - Routine grading of roads
  - Asphalt overlay of roads
  - Routine clearing of ROW
- × Agricultural land disturbance



# Construction Site Land Disturbance

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## Large Construction

**5 Acres  
or More**

## Small Construction \*

**Greater than  
or = 1 and < 5  
Acres**

\* In addition, construction site is not part of a Common Plan of Development.



# Primary Operators

## Large Construction Sites

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- ✓ Have on-site operational control over construction plans and specifications, including the ability to make changes
- ✓ Have day-to-day operational control activities at a site to ensure compliance with a stormwater pollution prevention plan (SWP3) and CGP permit



# Primary Operator Requirements

## Large Construction

- Storm Water Pollution Prevention Plan
  - ✓ Develop, implement, and maintain a copy on-site
- Notice of Intent (NOI)
  - ✓ Complete, submit, and pay application fee
- Copy of signed NOI
  - ✓ Submitted to the MS4 operator prior to beginning construction activity
- Primary Operator Site Notice



# Primary Operator Requirements Cont'd.

## Large Construction

- Final stabilization requirements
  - ✓ Must be met **prior** to termination of authorization
- Notice of Termination (NOT)
  - ✓ Submit form to TCEQ and a copy to the MS4 Operator





# Secondary Operators

## Large Construction Sites

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Operational Control is Limited to:

- The employment of other operators **OR**
- The ability to approve or disapprove changes to the plans and specifications
- No day-to-day operational control over construction activities at the site



# Secondary Operators' Requirements

## Large Construction

- Storm Water Pollution Prevention Plan
  - ✓ Participate in development, and implementation
- Secondary Operator Site Notice
  - ✓ Complete and post at site entrance
- Notification to the local MS4
  - ✓ Submitted a copy of the site notice



# Small Construction Sites

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## Requirements:

- Prepare and implement SWP3
- Adhere to permit requirements
- Post Small Site Notice
- Notify MS4

## Not Required:

- Notice of Intent
- Notice of Termination



# Construction Activities for sites Less than One Acre

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## Requirements:

- Implement and maintain Best Management Practices (BMPs)
- Notify MS4

## Not Required:

- NOI
- NOT

Poor Management of unpermitted site may result in a violation or citation for unauthorized discharges or nuisance conditions.



# Construction General Permit Authorization Applications

Applications must be submitted using the State of Texas  
Electronic Reporting System (STEERS) at

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

Fee: \$225

Waiver from electronic submittal available

- Religious beliefs
- No internet service
- Training needed (1 year only)



# Construction General Permit

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## State of Texas Electronic Reporting System (STEERS)

Electronic filing is available for the following:

- Notice of Intent (NOI) - (Form TCEQ-20022)
- Notice of Termination (NOT) - (Form TCEQ-20023)
- Notice of Change (NOC) - (Form TCEQ-20391)
- Low Rainfall Erosivity Waiver (LREW) - (Form TCEQ-20064)



# 2018 CGP Changes

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- Incorporated the 2014 and 2015 amendments to federal the effluent limitations guidelines for construction and development discharges located in 40 CFR Part 450.
- Added E-Reporting Rule language for applications
- Add definitions of Infeasible and Low Rainfall Erosivity Waiver (LREW) form.
- Clarified the definitions of Construction Activity and Impaired Water.



# 2018 CGP Changes

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- Add requirements for minimizing the exposure of waste materials by keeping waste container lids closed when not in use.
- Add footnote to the benchmark monitoring table for Concrete Batch plants to clarify that analytical results for certain pollutants must be obtained from a NELAP certified laboratory.
- Add requirements for implementing controls to minimize the exposure of building materials containing polychlorinated biphenyls (PCBs) to precipitation and stormwater during demolition.
- Add requirements for implementing controls at construction sites that will discharge to an impaired waterbody or a waterbody with an approved TMDL PCBs.





# 2018 CGP Changes

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- Revise the limitations for permit coverage for construction activities related to oil and gas production.
- Revise the benchmark monitoring level for Total Suspended Solids (TSS) from 100 milligrams per Liter (mg/L) to 50 mg/l.
- Revise to clarify that an applicant who owns or operates a facility classified as an “unsatisfactory performer” is entitled to a hearing before the Commission prior to denial or suspension of authorization.



# 2018 CGP Changes

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- Add clarifications for posting site notices for operators of small construction and secondary operators of large construction.
- Add clarification that posted small construction site notices may have a redacted signature if there is an original signed and certified copy of a site located at the site.
- Additional clarification in the impaired waterbodies section of permit that references the CWA 303 (d) List and the Texas Integrated Report.



# Changes to NOI

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- Estimated Start Date
- Estimated End Date
- Concrete Truck Washout

all applications must be submitted electronically –  
unless qualify for an electronic reporting waiver



# CGP Resources

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- TCEQ SWP3 template:
  - Assistance tools for construction stormwater general permits  
<https://www.tceq.texas.gov/assistance/water/stormwater/sw-construction.html>
- EPA SWP2 guidance:
  - EPA SWP3
- EPA national menu of (BMPs) for stormwater
  - EPA NPDES BMPs



# TCEQ Stormwater Program Contacts

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- For questions regarding your **STEERS** account and technical difficulties with e-NOI:  
(512) 239-6925
- For questions about the **application process**, contact the Stormwater Processing Center  
(512) 239-3700
- Other questions including **technical**, contact the Small Business and Local Government (SBLGA) Hotline  
1-800-447-2827



# TCEQ Stormwater Team Members

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