TPDES/EPA REGULATORY REQUIREMENTS FOR CONSTRUCTION

Phil Handley, CPESC – San Antonio Water System - Retired
Diana McDonald, EPA Region 6 - Retired

Texas Stormwater Conference
September 24, 2018
TPDES General Permit No. TXR 150000 requires all operators submit copy of permit coverage to the MS4 operator. Notice submissions should be made to SAWS.
LARGE CONSTRUCTION SITE NOTICE

FOR THE
Texas Commission on Environmental Quality (TCEQ)
Storm Water Program

TPDES GENERAL PERMIT TXR150000

“PRIMARY OPERATOR” NOTICE

This notice applies to construction sites operating under Part IIE.3. of the TPDES General Permit Number TXR150000 for discharges of storm water 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.2. of the general permit. This notice shall be posted along with a copy of the Notice of Intent (NOI), as applicable. Additional information regarding the TCEQ storm water permit program may be found on the internet at: http://www.tceq.state.tx.us/npw/permits/jw_permits.htm

<table>
<thead>
<tr>
<th>Site-Specific TPDES Authorization Number:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operator Name:</td>
</tr>
<tr>
<td>Contact Name and Phone Number:</td>
</tr>
<tr>
<td>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.</td>
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<tr>
<td>Location of Storm Water Pollution Prevention Plan:</td>
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</table>
### Large Construction Site Notice

**Primary Operator**

<table>
<thead>
<tr>
<th>Site-Specific TPDES Authorization Number:</th>
<th>TRX150000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operator Name:</td>
<td>ABC Contracting LLC</td>
</tr>
<tr>
<td>Contact Name and Phone Number:</td>
<td>Billy Bob Jones  210-123-4567</td>
</tr>
<tr>
<td>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.</td>
<td>Southwest corner of Rock Gabion Way &amp; Road runner Blvd</td>
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<tr>
<td>Location of Storm Water Pollution Prevention Plan:</td>
<td>Onsite in SWPPP box</td>
</tr>
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</table>
MS4 OPERATOR NOTIFICATION

Large Construction: Primary and Secondary Operators

Forward a copy of NOI
  • NOI application,
  • Large CSN
    • Prior to commencing construction activities at least 2 days
  • Certificate of Coverage (when received)

Forward a copy NOT
  • After stabilization requirements have been met and all temporary BMPs have been removed.
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/mnv/permits/vq_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 units 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:

1. (Typed or Printed Name Person Completing This Certification) certify under penalty of law that I have read and understand the eligibility requirements for claiming an authorization under Part II.E.2. of TPDES General Permit TXR150000 and agree to comply with the terms of this permit. A stormwater pollution prevention plan has been developed and will be implemented prior to construction, according to permit requirements. A copy of this signed notice is supplied to the operator of the MS4 if discharges enter an MS4. I am aware there are significant penalties for providing false information or for conducting unauthorized discharges, including the possibility of fines and imprisonment for knowing violations.

Signature and Title ______________________ Date __________________

Date Notice Removed ______________

MS4 operator notified per Part II.E.3.
# SMALL CONSTRUCTION SITE NOTICE

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Signature and Title _____________________________ Date __________________

________________________ Date Notice Removed

________________________ MS4 operator notified per Part II.E.3.
MS4 OPERATOR NOTIFICATION

Small Construction

Forward a copy
- Small Construction Site Notice
- Prior to commencing construction activities at least 2 days

Forward a copy
- Completed Small Construction Site Notice
- After stabilization requirements have been met and all temporary BMPs have been removed.
STORM WATER POLLUTION PREVENTION PLAN (SWPPP)

- Must be prepared prior to obtaining permit coverage.
- Must be readily available for review.
- Must accurately represent BMPs and conditions of site.
- It is a working, dynamic document.
All sites greater than 1 acre must perform site inspections!

- Reports must include the following:
  - Name of site
  - Frequency of inspection schedule
  - Date of inspection
  - Major Observation of Site Conditions
  - Rain event information
  - Corrective Actions
  - Signatory Statement
SWPPP INSPECTION REPORTS

Frequency of inspection schedule

- At least every 14 days **and** within 24 hours following a 0.5 inch or greater rainfall event

  or

- At least every 7 days on a specifically defined day, regardless of whether or not there has been a rainfall event since the previous inspection.

- Over the Edwards Recharge Zone:
  
    7 days inspection schedule is required.
Areas of inspection

- Location of discharges
- Location of BMPs that require maintenance
- Location of BMPs that failed
- Location where additional BMPs are needed
SWPPP INSPECTION REPORTING

Inspection reports must:

- Summarize the scope of the inspection
- Include the minimum required information per permit
- Meet signatory requirements in the manner required by 30 TAC §305.128
- Action taken as a result of the inspection
John Doe has worked with ABC General Contracting for 10 years and has installed and maintained storm water controls for 5 years. He has attended several storm water workshops and will be implementing the SWPPP for this project. He has read the SWPPP and is familiar with the TPDES Construction General Permit TXR150000 and its requirements.

Some municipalities and MS4’s are now requiring “Certified” Inspectors
The following statement must be included on every inspection report and signed by delegated:

- “I certify that the facility or site is in compliance with the storm water pollution prevention plan and this permit.

- I further certify that I am authorized to sign this report under TCEQ rules at 30 TAC § 305.128 (relating to Signatories to Reports)

- Name/Title: ________________________ Date: __
COMPLETED INSPECTION REPORT

Project: Suburbia Sub U-1  Date: 8.24.05

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Areas of Inspection | Inspected | Concerns
---|---|---
Disturbed soils areas | N | Lots require BMPs
Material storage areas | N | No concerns with the material storage area
Structural controls | N | Silt fence + Concrete washed need maintenance
Non-structural controls | N | Cuts behind the curbs are working well
Entrances & exits | N | Removed in July 2005

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Discharges | Location of Discharge
---|---
Sediment | Sand
Gravel | No discharge

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BMP & Location | Inspected | Corrective Action Needed | Completed
---|---|---|---
Silt fence | N | Extend silt fence eastward | 8.25.05
Silt fence (East) | N | Reset sections | 8.25.05
Dustbin | N | Extra replacement | 8.25.05
Concrete Channel #1 | N | Install BMP at inlet. | 8.25.05
Concrete Channel #2 | N | Add silt fence behind form | 8.29.05
Concrete Channel #3 | N | Needs to be cleaned | 8.25.05
Concrete Channel #4 | N | Needs to be installed | 8.29.05
Trash Rings | Y | OK for now, but will need to check | next week

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Additional BMPs Needed

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Inspector's Name: John Doe

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I certify that all items are acceptable and the project is in compliance with the SWPPP and the Construction General Permit.

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A brief statement describing the qualifications of the inspector is included with this SWPPP.
MUNICIPALITY/MS4

- Municipalities/MS4’s have individual policies and rules that may be different or more strict than the TCEQ Construction General permit.

- The policies and rules are codified either through local Codes or Ordinances.

- MS4’s have the right and authority to enforce not only their own Ordinance but also TCEQ Permit
To reduce pollutants entering into the MS4 as mandated by TPDES Construction General Permit TXR150000
ORDINANCE
(LOCAL MUNICIPAL CODIFICATION/LAW)

- SAWS designated as enforcement staff
- SAWS has authority to enforce within City Limits and 5,000 feet beyond
- No limit on size of construction activity
- Requires SWPPPs to be available on-site for inspection
- Requires submitting of ALL postings
- Provides penalties
- Requires final inspection to verify site is stabilized in order for Operator to file NOT for termination.
**ORDINANCE**

Field Correction Notice (FCN) – For Non-Compliance

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### Resource Protection and Compliance Department

**Field Correction Notice**

Authorized by City of San Antonio Ordinance 94002 Chapter 24, Division 5, Subdivision B § 24-807 (e)

<table>
<thead>
<tr>
<th>Field Correction Notice: 1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5 (Date of Previous FCN)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Name:</td>
<td></td>
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<tr>
<td>Site Location:</td>
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<tr>
<td>Operator:</td>
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<tr>
<td>On Site Contact:</td>
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<td>Telephone:</td>
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<tr>
<td>TEDS Stat:</td>
<td>Y</td>
<td>N</td>
<td>Y</td>
<td>N</td>
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</table>

Failure to complete the required corrective action(s) is a violation of City of San Antonio Ordinance 94002, Chapter 24, § 24-807 and may result in a Stop Work Order being issued.

### Corrective Action Required for Re-inspection on:

1. ...(Check All Applicable)
   - ...(Details of corrective actions)

### Additional Instructions:

- ...(Instructions and notes)

<table>
<thead>
<tr>
<th>Initial Receipt:</th>
<th>Follow Up Receipt:</th>
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<tbody>
<tr>
<td>(Print)</td>
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</tr>
<tr>
<td>Inspector:</td>
<td>Inspector:</td>
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<tr>
<td>(Signature)</td>
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<tr>
<th>Extension: Additional Time Granted:</th>
<th>Days</th>
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<tbody>
<tr>
<td>PCN Compliance: Yes</td>
<td>No</td>
</tr>
<tr>
<td>Release Date:</td>
<td></td>
</tr>
<tr>
<td>SNCO Issued: Yes</td>
<td>No</td>
</tr>
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</table>
(34-805 b) Obtain permit coverage

(34-805 b) Make the SWPPP available for on site inspection

(34-805 e) Modify BMPs to control pollutants in runoff

(34-805 e) Install or maintain BMPs correctly

(34-804 a) Remove sediment/pollutant from the MS4

(34-805 a) Forward an accurate copy of ___NOI / ___CSN to MS4 operator (SAWS)

(34-805 e) Implement the SWPPP

(34-805 a) Post required notices ___ Construction Site Notice (CSN) ___ Notice of Intent (NOI) ___ Contact Information Notice
ORDINANCE ENFORCEMENT

- A violation may result in a Field Corrective Notice
- 1st 24 hour period to remove and remediate offending material or comply with compliance action
- 2nd 24 hour period to install or repair corrective BMPs or ensure action

*If no action is taken...*
ORDINANCE ENFORCEMENT

- Results when FCN corrections are not made in a timely manner

- **ALL WORK STOPS**

Stop Work Order
Issued
INSPECTION OBSERVATIONS TO CONSIDER
COMPLIANCE ISSUES
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CHAPTER 34, ARTICLE VI, DIVISION 5 B

Chapter 34, Article VI, Division 5 B

- Purpose (TCEQ-TPDES and EPA NPDES Permits)
- Construction Activity/Grading/Land Disturbance Definitions
- Final TPDES/NPDES Inspections
- Qualified Inspector (Certifications)
- Storm Water Pollution Prevention Plan (SWPPP) Seal & signed by Registered or Certified Professional
- Proposed Ordinance Changes
- Enforcement of the Ordinance