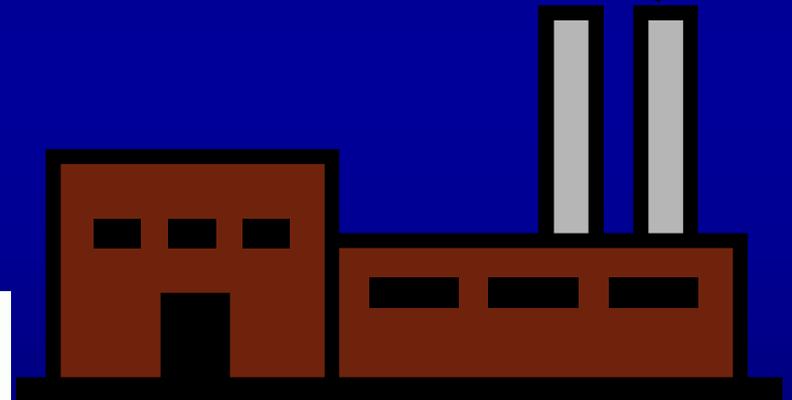




Stormwater Discharges



Texas Pollutant Discharge Elimination System

Stormwater Multi-Sector General Permit (MSGP) TXR050000 Overview

Dan Siebeneicher

Texas Commission on Environmental Quality
Stormwater & Pretreatment Team
Water Quality Division

September 16-17, 2014



Industrial Stormwater

- Individual stormwater only permits – August 2014
 - Active permits: 114
- Multi-Sector General Permit (MSGP), TPDES Permit No. TXR050000
 - Renewed August 14, 2011
 - Expires August 14, 2016
- Authorizations – August, 2014
 - NOIs: 8,449
 - NECs: 3,840



Outline of Presentation

- Acronyms
- Regulatory Background
- Multi-Sector General Permit (MSGP)
 - Regulated sectors
 - Applicability
 - Forms
 - Requirements



Acronyms Used in the Stormwater Program

BMP	Best Management Practice
CFR	Code of Federal Regulations
DMR	Discharge Monitoring Report
EPA	Environmental Protection Agency
FR	Federal Register
MOA	Memorandum of Agreement
NEC	No-Exposure Certification
NOC	Notice of Change



Acronyms Used in the Stormwater Program

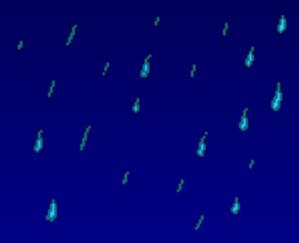
NOI	Notice of Intent
NOT	Notice of Termination
NOV	Notice of Violation
SIC	Standard Industrial Classification
SWP3 / SWPPP	Storm Water Pollution Prevention Plan
TAC	Texas Administrative Code
TPDES	Texas Pollutant Discharge Elimination System
TWC	Texas Water Code



Regulatory Background

- Federal Clean Water Act (CWA) of 1972, as amended
 - 40 CFR, Section (§) 122.26 and Parts 400-471
- Texas Water Code (TWC), §§ 26.027, 26.040, and 26.121
 - 30 TAC, Chapters 205, 281, 305, 319
- Memorandum of Agreement (MOA): (EPA & TCEQ)





Stormwater



Rainfall runoff, snow melt runoff,
and surface runoff and drainage.



Stormwater Discharge Associated with Industrial Activity

The discharge from any conveyance that is used for collecting and conveying stormwater and that is directly related to manufacturing, processing or raw materials storage areas at an industrial facility.



MSGP TXR050000

Authorizes point source discharges of stormwater associated with industrial activity and certain non-stormwater discharges to surface water in the state



MSGP TXR050000

- MSGP Effective August 14, 2011
- Texas Railroad Commission (RRC) regulates certain oil and gas activities



RRC Regulated SIC Codes

- 1311
- 1321
- 1381
- 1382
- Parts of 1389
- 4922
- 4925



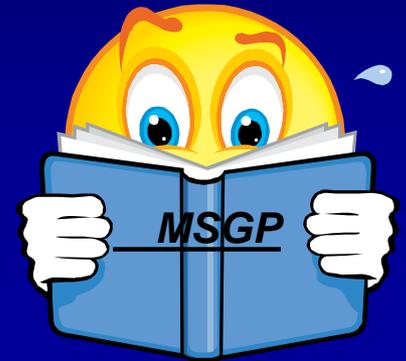
SIC Code 1389 & 5171

- ❖ MSGP Industrial Activities Regulated by SIC 1389, Oil and Gas Field Services, that occurs at a company headquarters, permanent offices, or base of operations.
- ❖ Petroleum Bulk Stations and Terminals (SIC Code 5171) that store crude oil is not authorized under the MSGP



MSGP TXR050000

- A 145 page Document
- Parts I through III applies to all permittees
- Part IV applies to permittees that have benchmark monitoring requirements
- Part V has specific requirements for each Sector (there are 30 Sectors)



MSGP Regulated Industrial Sectors

Sector A - Timber Products



Sector B - Paper and Allied Products

Sector C - Chemical and Allied Products



Sector D - Asphalt Paving and Roofing Materials and Lubricants

Sector E - Glass, Clay, Cement, Concrete, and Gypsum Products



Sector F - Primary Metals

Sector G - Metal Mining (Ore Mining and Dressing)

Sector H - Coal Mines and Coal Mining Related Facilities



Sector I - Oil and Gas Extraction

Sector J - Mineral Mining and Processing



MSGP Regulated Industrial Sectors

Sector K - Hazardous Waste Treatment,
Storage, and Disposal Facilities



Sector L - Landfills and Land Application Sites

Sector M - Automobile Salvage Yards

Sector N - Scrap and Waste Recycling Facilities



Sector O - Steam Electric Generating Facilities

Sector P - Land Transportation and Warehousing



Sector Q - Water Transportation

Sector R - Ship and Boat Building or Repairing Yards

Sector S - Air Transportation

Sector T - Treatment Works

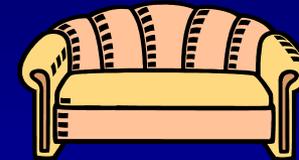
Sector U - Food and Kindred Products



MSGP Regulated Industrial Sectors

Sector V - Textile Mills, Apparel and Other Fabric Products Manufacturing

Sector W - Furniture and Fixtures



Sector X - Printing and Publishing

Sector Y - Rubber, Miscellaneous Plastic Products, & Miscellaneous Manufacturing Industries

Sector Z - Leather Tanning and Finishing

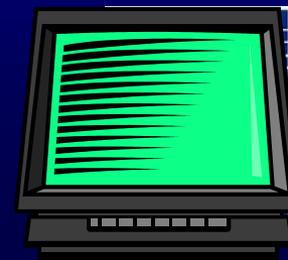


Sector AA - Fabricated Metal Products

Sector AB - Transportation Equipment, Industrial or Commercial Machinery Manufacturing

Sector AC - Electronic, Electrical, Photographic, and Optical Goods

Sector AD - Miscellaneous Industrial Activities



Who Needs MSGP Authorization



- Operators of facilities with regulated discharges
 - Corporations, partnerships, sole proprietors, government, individuals
- Also includes:
 - Municipally-operated facilities
 - Military bases and other federal facilities
 - Co-located facilities
 - Co-located activities
 - Facilities designated by TCEQ



MSGP Applicability

- Industrial activities with regulated SIC codes

<http://www.osha.gov/pls/imis/sicsearch.html>

- Includes:
 - Co-located activities (More than one SIC code)
 - Co-located facilities (each has a distinct authorization number)
 - Municipally-operated facilities
 - Military bases and other federal facilities
 - Additional facilities designated by TCEQ



To Find Your SIC Code Go To:

<http://www.osha.gov/pls/imis/sicsearch.html>

The screenshot shows the OSHA SIC search interface. At the top, the browser address bar displays the URL. The page header includes the OSHA logo, the text 'UNITED STATES DEPARTMENT OF LABOR', and a search box. Below the header, there are navigation links for 'A to Z Index', 'En español', 'Contact Us', 'FAQs', and 'About OSHA'. The main content area features the OSHA logo, 'OSHA QuickTakes' newsletter link, and 'Occupational Safety & Health Administration We Can Help'. A navigation menu includes 'Home', 'Workers', 'Regulations', 'Enforcement', 'Data & Statistics', 'Training', 'Publications', 'Newsroom', and 'Small Business'. The 'STATISTICS & DATA | SIC MANUAL' section contains a search form with the following elements:

- 'Enter a SIC CODE:' with an empty input field.
- 'Enter the search keyword(s):' with the text 'wood preserving' entered in the input field.
- 'Submit' and 'Clear' buttons.
- 'Search Help and Examples' link.
- A search result: '2491 Wood Preserving'.

Annotations on the screenshot include:

- 'Click submit' with an arrow pointing to the 'Submit' button.
- 'Type in keyword' with a double-headed arrow pointing to the search input field containing 'wood preserving'.
- 'SIC Code should populate here' with a double-headed arrow pointing to the search result '2491 Wood Preserving'.

The footer contains links for 'Freedom of Information Act', 'Privacy & Security Statement', 'Disclaimers', 'Customer Survey', 'Important Web Site Notices', 'International', and 'Contact Us'. It also provides contact information for the U.S. Department of Labor and the Occupational Safety & Health Administration, including the address, telephone number (800-321-OSHA), and TTY number (877-889-5627). The website URL 'www.OSHA.gov' is displayed at the bottom.



Discharges That Require MSGP Authorization

- Stormwater discharges associated with industrial activity
 - 40 CFR § 122.26(b)(14)
 - "Primary," or "facility" SIC codes
 - Narrative categories: landfills (LF), treatment works (TW), steam electric power plants (SE), and hazardous waste treatment, storage and disposal facilities (HZ)
 - Stormwater regulated under federal categorical guidelines, 40 CFR Parts 400-474



MSGP, TXR050000 Authorization

- Each applicant is assigned an individual authorization code
 - Example: TXR05N198
- Non-transferable



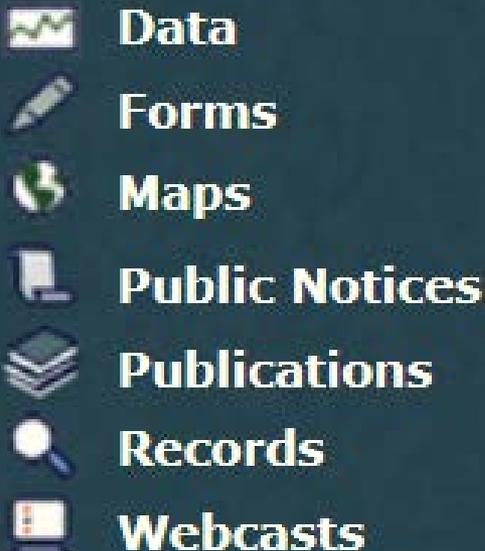
TCEQ FORMS FOR MSGP

- Notice of Intent (NOI), TCEQ Form 10382
- No-Exposure Certification (NEC), TCEQ Form 10383
- Hazardous Metals Waiver, TCEQ Form 10425
- Notice of Termination (NOT), TCEQ Form 10443
- Benchmark Monitoring Data Analysis, TCEQ Form 20091
- Notice of Change (NOC), TCEQ Form 20390



MSGP FORM LOCATION

- <http://www.tceq.texas.gov/>
- Scroll down until you find: (left side of page near the bottom)
 - Click on Forms



FORMS SEARCH PAGE

Enter the TCEQ form number and click on Submit

Forms Search

Find TCEQ forms that are available on our website, or contact information to obtain those that are not available online.

- [Current Forms Search](#)
 - [Keyword](#)
 - [Form Number](#)
 - [Subject](#)
 - [Explanation of Search Results](#)
- [View Complete List of Forms \(288K\)](#)

Many of our forms are available online in portable document format (PDF) or in Word format (DOC). Some are also available in HTML or Excel, or are compressed files. (Help with [PDF](#) and [Downloading Files](#)). **If a form is not available online**, the phone number to call for a copy is listed with the form title.

Current Forms Search

Keyword:

Type in a keyword or short phrase from the form's name or description. Capitalization does not matter. (Examples: PI-7, used oil, rg-111, edwards aquifer, hazardous)

Form Number:

10382

Fill this in only if you know the TCEQ form number (or at least part of it). (Examples: 10255, 10012, 12 will find 10012, 10212, 10128, etc.)

TCEQ
Form
Number
10382



Form Number TCEQ-10382

TCEQ-10382: Form and Instructions

Description: Notice of Intent (NOI) for Stormwater Discharges Associated with Industrial Activity under the TPDES Multi-Sector General Permit (TXR050000)

Format: PDF

Retrieve: Click on [Download this file](#)



Obtaining A Copy of the MSGP TXR050000

[http://www.tceq.texas.gov/
Water](http://www.tceq.texas.gov/Water)

[Stormwater Permits](#)

[Assistance Tools for Stormwater
Permitting](#)

[Industrial Stormwater General Permit](#)



Obtaining MSGP Authorization

1. *Read TXR050000*
2. Develop a stormwater pollution prevention plan (SWP3)
3. Submit a Notice of Intent (NOI)
 - Pay Application Fee
 - Copy of NOI to Municipal Separate Storm Sewer System (MS4) Operator
4. Pay Annual Water Quality Fee:
\$200.00 (invoiced)
Not the same as application fee!



Certification

- I certify that I have obtained a copy and understand the terms and conditions of the general permit TXR050000
- I understand that permits active on September 1st of each year will be assessed an Annual Water Quality Fee
- I certify that a Stormwater Pollution Prevention Plan has been prepared and implemented as required in the general permit.



Obtaining MSGP Authorization Through ePermitting – STEERS

- <https://www3.tceq.texas.gov/steers/index.cfm>

- Steps in STEERS

1. Create an Account
2. Fill out applicable NOI
3. Sign Form (Will need a Texas Driver's License)
4. Pay \$100 Fee
5. Submit NOI
6. Print authorization certificate

- Immediate coverage upon receiving e-mail acknowledgement



Obtaining MSGP Authorization Paper Version of the NOI

- ❖ Fill out, sign NOI and mail to address listed
Pay \$200 fee by mail (use address provided)
or by ePay

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

- ❖ Provisional authorization seven (7) days after postmark date
- ❖ Acknowledgement letter and authorization mailed
- ❖ Allow 30 days for processing



MSGP Requirements

- Implement SWP3 and revise as needed
- Conduct inspections of the site /facility
- Collect analytical samples
- Meet water quality requirements
- Perform a comprehensive site compliance inspection each year



SWP3 Requirements

- Pollution prevention team
 - Employee training
 - Describe potential pollutants and sources
 - Describe pollution prevention measures
- Best management practices (BMPs)



Site Inspection Requirements

- Inspect for non-stormwater flows within 180 days
- Periodic inspections
 - Once each quarter
 - Keep results on site
 - Some sectors have additional requirements
- Comprehensive site inspection
 - Once each year
 - Some sectors have additional requirements
 - Site Compliance Inspection Report
 - Sign report and keep on site



Qualifying Storm Events

- Measurable storm that results in a discharge from the site
- Must have rain gauge on-site



MSGP Sampling Guide

Sample Type	Requirements	Frequency	Sectors
Visual	MSGP Part III	Quarterly	ALL
Benchmark	MSGP Part IV	Semiannually Jan-Jun Jul-Dec	A, B, C, D, E, F, G, H, J, K, L, M, N, O, Q, S, T, U, Y, AA, AD
Numeric Effluent Limits (Hazardous Metals)	MSGP Part III	Annually	ALL



MSGP Sampling Guide

Sample Type	Requirements	Frequency	Sectors
Sector Specific Effluent Limits	MSGP Part V	Annually before Dec. 31, of each yearly	A, C, D, E, J, O
Impaired Waters and Pollutants of Concern	MSGP Part II	Annually If applicable	All, If discharging to a water body impaired for that Pollutants of Concern



Visual Monitoring

- Once each quarter
- Keep results on site
- All discharges
- *Well lit area*
- *During normal working hours*



Discharge Monitoring Requirements

➤ Benchmark Sampling

- Once per six months
- Submit results to TCEQ by March 31
- Use benchmark sampling form (not a DMR)
- If exceed, must evaluate SWP3 and revise as needed
- Based on SIC codes within sectors
- Benchmark sampling for Years 1 through 4
- Waiver for Years 3 and 4 available if results for Years 1 and 2 are below benchmark levels.



Hazardous Metals Sampling and Monitoring Requirements

- Comply with numeric limits for hazardous metals
 - Sample once per year
 - Submit results by March 31 to TCEQ only if limits are exceeded
 - Exceedances $\geq 40\%$ must be reported directly to TCEQ's Enforcement Division within 5 working days (in writing)
 - Required for all sectors
 - Waiver available



Hazardous Metals Limits

Hazardous Metal (Total)	Daily Maximum Limit to Inland Waters (mg/L)	Daily Maximum Limit to Tidal Waters (mg/L)
Arsenic	0.3	0.3
Barium	4.0	4.0
Cadmium	0.2	0.3
Chromium	5.0	5.0
Copper	2.0	2.0
Lead	1.5	1.5
Manganese	3.0	3.0
Mercury	0.01	0.01
Nickel	3.0	3.0
Selenium	0.2	0.3
Silver	0.2	0.2
Zinc	6.0	6.0



Hazardous Metals Discharge Monitoring Reports (DMR)

DMR Inland Waters

[http://www.tceq.texas.gov
/assets/public/permitting/stormwater/hazmetdmrin.pdf](http://www.tceq.texas.gov/assets/public/permitting/stormwater/hazmetdmrin.pdf)



DMR Tidal Waters

<http://www.tceq.texas.gov/assets/public/permitting/stormwater/hazmetdmrtide.pdf>



Discharge Monitoring Requirements

➤ Sector Specific Effluent Limits

- Once each year results to TCEQ by March 31
- Retained by the facility
- Report in writing to enforcement within 5 days
- If Numeric Effluent Limits Exceedances $\geq 40\%$ the DMR must be submitted to TCEQ
- Required of only certain discharges within specific sectors



Discharge Monitoring Requirements

Sector-Specific

All results of sampling for effluent limits in accordance with Part V of the permit requirements in Sectors **A, C, D, E, J, or O**) must be submitted to the TCEQ.

Effluent Limit

Any non-compliance with an effluent limit for any of the hazardous metals required in Part III.D.1 or for TSS and pH as required in Part III.D.2 reported at a frequency of once per year.



Discharges to a 303 (d) (1) Listed Impaired Water Body

- ❖ Prevent exposure to stormwater of the pollutant(s) for which the water body is impaired (i.e., the pollutant(s) of concern (POC))
- ❖ Document that POC is not generated by industrial activities or present in materials at the site
- ❖ Obtain analytical evidence that POC is not discharged per Part II B.7.(c)(3) of the MSGP



Discharges to Impaired Water Body With an Approved Total Maximum Daily Load (TMDL)

- TMDL, is a calculation of the maximum amount of a pollutant that a water body can receive without violating water quality standards
- Discharges of the constituent(s) of concern to impaired water bodies with an approved TMDL are not eligible for coverage under this permit unless they are consistent with the approved TMDL.



Reports and Certifications Signatory Requirements

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).



No Exposure Exclusion

- Available for all sites that have no exposure of industrial materials or activities to storm water
 - Including waste handling areas, product storage, loading/unloading areas
- “No exposure” generally means inside of a **storm resistant shelter**
- Available facility-wide only
- No SWP3, sampling, monitoring, or inspections required



No Exposure Exclusion

- Exceptions to storm resistant shelter:
 - Final products meant for outdoor use
 - *Must be completely assembled (for example, a picnic table or swing set)*
 - Sealed drums/tanks with no operational valves
 - Lidded dumpsters
 - Roof stacks/vents
 - **TCEQ Regulatory Guidance RG-467**
 - <http://www.tceq.texas.gov/publications/rg/rg-467.html>



Obtaining a No Exposure Exclusion

- Submit Conditional No-Exposure Certification (NEC) form instead of NOI
- Pay Application fee (no annual fee)
- Maintain “no exposure” conditions



Changes in Information or Cancelling Coverage

- Changes to information submitted on NOI or NEC form:
 - Submit a Notice of Change (NOC) form
- Cancelling coverage
 - Submit NOT form
 - *All NOIs active on September 1 of each year will be billed an annual fee for the current FY*



Industrial Stormwater

- MSGP Renewal due August 14, 2016
 - Renewal process will begin in fall 2014
 - Evaluation of benchmark data
 - Possibly stakeholder meeting
 - Send TCEQ comments or suggestions now



De-icing Federal Rule 40 CRF Part 449

- Airport De-icing Operations
- Rule became effective on June 15, 2012 and includes:
 - Technology Based Effluent Limitation Guidelines (ELGs)
 - New source performance standards
- Generally apply to deicing of airfield pavements for airports with more than 1,000 departures
- Use de-icing agents without urea or meet numeric effluent limitation for ammonia



Implication of Federal Rule 40 CFR Part 449

- Revision of 30 TAC §305.541
- June 18, 2014: Commission adopted federal rule by reference
- Effects on Permits
 - ELGs and performance standards to be incorporated into MSGP upon renewal August 14, 2016
 - Incorporated into individual permits for airports upon their renewal



Useful Links

- <http://www.tceq.texas.gov/>
- http://www.tceq.texas.gov/permitting/stormwater/sw_permits.html
- <https://www3.tceq.texas.gov/steers/index.cfm>
- <http://www.tceq.texas.gov/assistance/water/sw-industrial.html>



Contact Information

- Stormwater & Pretreatment team
(512) 239-4671
swgqp@tceq.texas.gov
- Stormwater Processing Center
(512) 239-3700
swpermit@tceq.texas.gov



TPDES Stormwater Program Contacts

- Stormwater & Pretreatment Team
 - Team Leader: Rebecca Villalba
 - Storm Water Permit Coordinators
 - Hal Bailey
 - Lindsay Garza
 - Hanne Lehman Nielsen
 - Dan Siebeneicher



