Texas Commission on Environmental Quality

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. TXR050000, issued August 14, 2011.

Facilities that discharge stormwater associated with industrial activity

located in the state of Texas

may discharge to surface water in the state

only according to effluent limitations, monitoring requirements and other conditions set forth in this general permit, as well as the rules of the Texas Commission on Environmental Quality (TCEQ), the laws of the State of Texas, and other orders of the Commission of the TCEQ (Commission). The issuance of this general permit does not grant to the permittee(s) the right to use private or public property for conveyance of wastewater 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(s) to acquire property rights as may be necessary to use the discharge route.

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

EFFECTIVE DATE: August 14, 2016

ISSUED DATE:

_____

For the Commission

Table of Contents

Part I. DEFINITIONS 10
Part II. PERMIT APPLICABILITY AND COVERAGE 17
Section A. Discharges Eligible for Authorization by General Permit 17
1. Industrial Activities Covered 17
2. Miscellaneous Industrial Activities 38
3. Co-located Industrial Activities 39
4. Co-located Industrial Facilities 39
5. Requirements for Military Installations and Other Publicly-Owned Facilities 39
6. Non-Stormwater Discharges 40
Section B. Limitations on Permit Coverage 41
1. Suspension or Revocation of Permit Coverage 41
2. Discharges Authorized by Another TPDES Permit 41
3. Stormwater Discharges from Construction Activity 41
4. Stormwater Discharges from Salt Storage Piles 42
5. Discharges of Stormwater Mixed with Non-Stormwater 42
6. Compliance with Water Quality Standards 42
7. Impaired Water Bodies and Total Maximum Daily Load (TMDL) Requirements 42
8. Discharges to the Edwards Aquifer Recharge Zone 45
9. Discharges to Specific Watersheds and Water Quality Areas 46
10. Endangered Species Act 46
11. Protection of Streams and Watersheds by Home-Rule Municipalities 46
12. Facilities with No Discharge to Surface Water in the State 46
13. Automatic Authorization for Certain Industrial Activities 47
14. Transfer of Liability 47
15. Force Majeure 48
Section C. Obtaining Authorization to Discharge 48
1. Conditional No Exposure Exclusion from Permit Requirements 48
2. Application for Coverage 50
3. Application Deadlines 50
4. Stormwater Pollution Prevention Plan (SWP3) 51
5. Contents of the Notice of Intent (NOI) 51
6. Changes to Information Submitted 52
7. Terminating Coverage 53

8. Signatory Requirements 54
9. Additional Notification 54
10. Fees 54
11. Permit Expiration 54
Section D. Alternative Coverage Under an Individual TPDES Permit 55
1. Individual Permit Alternative 55
2. General Permit Alternative 55
3. Individual Permit Required 55
Part III. PERMIT REQUIREMENTS AND CONDITIONS COMMON TO ALL COVERED INDUSTRIAL ACTIVITIES 56
Section A. General Stormwater Pollution Prevention Plan (SWP3) Requirements 56
1. Implementation of SWP3 and Consistency with Other Plans 56
2. Stormwater Pollution Prevention Team 57
3. Description of Potential Pollutants and Sources 57
4. Pollution Prevention Measures and Controls 60
5. Additional Documentation Requirements 62
6. SWP3 Review 63
Section B. Periodic Inspections and Monitoring 63
1. Inspection and Certification of Non-Stormwater Discharges 63
2. Routine Facility Inspections 64
3. Quarterly Visual Monitoring 65
4. Water Quality Monitoring Requirements 66
5. Annual Comprehensive Site Compliance Inspection 67
6. Results of Inspections and Monitoring 69
7. Exceptions to Periodic Inspections and Monitoring 69
Section C. Numeric Effluent Limitations 69
1. Discharges of Stormwater Runoff 69
2. Discharges Subject to Federal Categorical Guidelines 72
Section D. General Monitoring and Records Requirements 72
1. Qualifying Storm Events 72
2. Representative Discharge Samples 73
3. Monitoring Periods 74
4. Exceptions to Monitoring Requirements 75
5. Records Retention 75

6. Monitoring and Inspection Documentation 76
Section E. Standard Permit Conditions 76
1. General Conditions 76
2. Proper Operation and Maintenance 78
3. Inspection and Entry Requirements 78
4. Monitoring and Sampling 79
5. Records Requirements 79
6. Reporting Requirements 80
7. Solid Waste 82
Part IV. BENCHMARK MONITORING REQUIREMENTS 83
Section A. Use of Benchmark Data 84
1. Monitoring for Benchmark Parameters in Discharges 84
2. Background Concentrations 84
3. Investigations of Benchmark Value Exceedences 85
4. Exception for Inactive and Unstaffed Sites 85
5. Adverse Weather Conditions 85
Section B. Benchmark Monitoring Requirements 86
1. Monitoring Periods 86
2. Reporting Requirements 87
Part V. SPECIFIC REQUIREMENTS FOR INDUSTRIAL ACTIVITIES 88
Section A. Sector A of Industrial Activity - Timber Products Facilities 88
1. Description of Industrial Activity 88
2. Definitions 88
3. Limitations on Permit Coverage 88
4. Authorized Non-Stormwater Discharges 89
5. Description of Potential Pollutants and Sources 89
6. Pollution Prevention Measures and Controls 89
7. Numeric Effluent Limitations Based on Federal Effluent Guidelines and Standards - Applicable to Sector A facilities discharging Wet Decking Water 90
8. Benchmark Monitoring Requirements 91
Section B. Sector B of Industrial Activity - Paper and Allied Products Manufacturing Facilities 91
1. Description of Industrial Activity 91
2. Benchmark Monitoring Requirements 92

Section C. Sector C of Industrial Activity - Chemical and Allied Products Manufacturing Facilities 92
1. Description of Industrial Activity 92
2. Limitations on Permit Coverage 93
3. Pollution Prevention Measures and Controls/Management of Runoff with Structural Controls 93
4. Numeric Effluent Limitations Based on Federal Effluent Limitations Guidelines - Applicable to Sector C facilities discharging stormwater from phosphate fertilizer manufacturing activities 94
5. Benchmark Monitoring Requirements 95
Section D. Sector D of Industrial Activity - Asphalt Paving and Roofing Materials and Lubricant Manufacturing Facilities 96
1. Description of Industrial Activity 96
2. Limitations on Permit Coverage 96
3. Pollution Prevention Measures and Controls 96
4. Numeric Effluent Limitations - Applicable to Sector D Facilities Discharging Stormwater from Asphalt Emulsion Manufacturing Production Areas 96
5. Benchmark Monitoring Requirements 97
Section E. Sector E of Industrial Activity - Glass, Clay, Cement Concrete, and Gypsum Product Manufacturing Facilities 98
1. Description of Industrial Activity 98
2. Non-Stormwater Discharges 98
3. Pollution Prevention Measures and Controls 98
4. Additional SWP3 Requirements 99
5. Numeric Effluent Limitations 99
6. Benchmark Monitoring Requirements 100
Section F. Sector F of Industrial Activity - Primary Metals Facilities 101
1. Description of Industrial Activity 101
2. Description of Potential Pollutants and Sources 101
3. Pollution Prevention Measures and Controls 101
4. Benchmark Monitoring Requirements 102
Section G. Sector G of Industrial Activity - Metal Mining (Ore Mining and Dressing) 102
1. Description of Industrial Activity 102
2. Covered Stormwater Discharges 103
3. Definitions 104

4. Limitations on Permit Coverage....105
5. Additional SWP3 Requirements 105
6. Benchmark Monitoring Requirements 106
7. Termination of Permit Coverage 108
Section H. Sector H of Industrial Activity - Coal Mines and Coal Mining Related Facilities 108
1. Description of Industrial Activity 108
2. Covered Stormwater Discharges 109
3. Definitions 109
4. Limitations on Permit Coverage.... 110
5. Additional SWP3 Requirements 110
6. Benchmark Monitoring Requirements 112
7. Inactive and Unstaffed Sites.... 112
8. Termination of Permit Coverage 113
Section I. Sector I of Industrial Activity - Oil and Gas Extraction Facilities 113
1. Description of Industrial Activity 113
2. Covered Stormwater Discharges 114
3. Limitations on Permit Coverage.... 114
4. Additional SWP3 Requirements 115
Section J. Sector J of Industrial Activity - Mineral Mining and Processing Facilities 115
1. Description of Industrial Activity 115
2. Covered Discharges 116
3. Definitions 116
4. Annual Comprehensive Site Compliance Evaluation.... 117
5. Limitations on Permit Coverage.... 117
6. Numeric Effluent Limitations 117
7. Benchmark Monitoring Requirements 119
8. Mining Related Non-Stormwater Discharges 119
9. Additional SWP3 Requirements 119
10. Inactive and Unstaffed Sites – Monitoring Waivers.... 120
11. Termination of Permit Coverage.... 121
Section K. Sector K of Industrial Activity - Hazardous Waste Treatment, Storage, and Disposal Facilities 121
1. Description of Industrial Activity 121
2. Covered Stormwater Discharges 122

3. Limitations on Permit Coverage....122
4. Definitions....122
5. Benchmark Monitoring Requirements....123
Section L. Sector L of Industrial Activity - Landfills and Land Application Sites....123
1. Description of Industrial Activity....123
2. Definitions....123
3. Covered Stormwater Discharges....125
4. Limitations on Permit Coverage....125
5. Additional SWP3 Requirements....126
6. Benchmark Monitoring Requirements....127
Section M. Sector M of Industrial Activity - Automobile Salvage Yards....128
1. Description of Industrial Activity....128
2. Additional SWP3 Requirements....128
3. Benchmark Monitoring Requirements....129
Section N. Sector N of Industrial Activity - Scrap and Waste Recycling Facilities....129
1. Description of Industrial Activity....129
2. Limitations on Permit Coverage....129
3. Additional SWP3 Requirements....130
4. Benchmark Monitoring Requirements....131
Section O. Sector O of Industrial Activity - Steam Electric Generating Facilities....132
1. Description of Industrial Activity....132
2. Covered Stormwater Discharges....132
3. Limitations on Permit Coverage....132
4. Additional SWP3 Requirements....133
5. Numeric Effluent Limitations - Applicable to Sector O Facilities Discharging Coal Pile Runoff....134
6. Benchmark Monitoring Requirements....135
Section P. Sector P of Industrial Activity - Land Transportation and Warehousing....135
1. Description of Industrial Activity....135
2. Covered Stormwater Discharges....135
3. Limitations on Coverage....137
4. Additional SWP3 Requirements....137
Section Q. Sector Q of Industrial Activity - Water Transportation Facilities....139
1. Description of Industrial Activity....139

2. Covered Stormwater Discharges 139
3. Limitations on Coverage.... 140
4. Allowable Non-Stormwater Discharges 140
5. Additional SWP3 Requirements. 140
6. Benchmark Monitoring Requirements 141
Section R. Sector R of Industrial Activity - Ship and Boat Building or Repair Yards....142
1. Description of Industrial Activity....142
2. Limitations on Coverage....142
3. Allowable Non-Stormwater Discharge....142
4. Additional SWP3 Requirements 142
Section S. Sector S of Industrial Activity - Air Transportation Facilities 144
1. Description of Industrial Activity....144
2. Covered Stormwater Discharges 144
3. Definitions 145
4. Limitations on Permit Coverage....145
5. Additional SWP3 Requirements 145
6. Numeric Effluent Limitations – Applicable to Sector S Facilities Discharging Stormwater from Airport Deicing Activities 147
7. Benchmark Monitoring Requirements 150
Section T. Sector T of Industrial Activity - Treatment Works 150
1. Description of Industrial Activity....150
2. Covered Stormwater Discharges 151
3. Limitations on Permit Coverage.... 151
4. Additional SWP3 Requirements 151
5. Benchmark Monitoring Requirements 152
Section U. Sector U of Industrial Activity - Food and Kindred Products Facilities 152
1. Description of Industrial Activity....152
2. Limitations on Coverage....152
3. Additional SWP3 Requirements 153
4. Benchmark Monitoring Requirements 153
Section V. Sector V of Industrial Activity - Textile Mills, Apparel, and Other Fabric Product Manufacturing Facilities 153
1. Description of Industrial Activity....153
2. Limitations on Coverage....154

3. Additional SWP3 Requirements 154
Section W. Sector W of Industrial Activity - Wood and Metal Furniture and Fixture Manufacturing Facilities 155
4. Description of Industrial Activity 155
Section X. Sector X of Industrial Activity - Printing and Publishing Facilities 155
1. Description of Industrial Activity 155
2. Covered Stormwater Discharges 155
3. Additional SWP3 Requirements 156
Section Y. Sector Y of Industrial Activity - Rubber and Miscellaneous Plastic Products, and Miscellaneous Manufacturing Facilities 156
1. Description of Industrial Activity 156
2. Additional SWP3 Requirements 157
3. Benchmark Monitoring Requirements 158
Section Z. Sector Z of Industrial Activity - Leather Tanning and Finishing Facilities 158
1. Description of Industrial Activity 158
2. Additional SWP3 Requirements 159
Section AA. Sector AA of Industrial Activity - Fabricated Metal Products Facilities 159
1. Description of Industrial Activity 159
2. Pollution Prevention Measures and Controls 159
3. Benchmark Monitoring Requirements 161
Section AB. Sector AB of Industrial Activity - Transportation Equipment and Industrial or Commercial Machinery Manufacturing Facilities 161
1. Description of Industrial Activity 161
2. Additional SWP3 Requirements 162
Section AC. Sector AC of Industrial Activity – Electronic and Electrical Equipment/ Components, and Photographic/ Optical Goods Manufacturing Facilities 162
1. Description of Industrial Activity 162
Section AD Sector AD of Industrial Activity - Miscellaneous Industrial Activities 162
1. Description of Industrial Activity 162
2. Limitations on Permit Coverage 163
3. SWP3 and Other Requirements 163
4. Co-located Activities 163
5. Benchmark Monitoring Requirements 163

Part I. DEFINITIONS

All definitions in the Texas Water Code (TWC) §26.001 and Title 30 Texas Administrative Code (TAC) Chapter 305 apply to this permit and are incorporated by reference. Some specific definitions of words or phrases used in this permit are as follows:

Arid Areas. Areas with an average annual rainfall of less than ten (10) inches.

Benchmark. A benchmark pollutant concentration is a guidance level indicator that helps determine the effectiveness of chosen best management practices (BMPs). This type of monitoring differs from "compliance monitoring" in that exceedances of the indicator or benchmark level are not permit violations, but rather indicators that could point to a identify problems at the site with exposed or unidentified pollutant sources; or control measures that are either not working correctly, whose effectiveness need to be re-considered, or who need to be supplemented with additional BMP(s).

Best Management Practices (BMPs). Schedules of activities, prohibitions of practices, maintenance procedures, and other techniques to control, prevent or reduce the discharge of pollutants. BMPs also include treatment requirements, operating procedures, and practices to control site runoff, spills or leaks, sludge or waste disposal, or drainage from raw material storage areas.

Co-located Industrial Activities. Industrial activities conducted at a facility that aredescribed by two or more SIC codes listed in this general permit.

Co-located Industrial Facilities. Industrial facilities, having different operators, that are located on a common property or adjoining property and that conduct industrial activities described by one or more sectors of this general permit.

Composite Sample. A sample made up of a minimum of three effluent portions collected in a continuous 24-hour period or during the period of daily discharge if less than 24 hours, combined in volumes proportional to flow, and collected at the intervals required by 30 TAC §319.9 (b).

Constituent of Concern. For the purpose of this permit, a pollutant that is identified in the Clean Water Act (CWA) Section 303(d) List as a cause of impairment for a water body.

Construction Activity. Includes soil disturbance activities, including clearing, grading, and excavating; and does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the site (e.g., the routine grading of existing dirt roads, asphalt overlays of existing roads, the routine clearing of existing right-of-ways, and similar maintenance activities). Regulated construction activity is defined in terms of small and large construction activity.

- **Small Construction Activity** is construction activity that results in land disturbance of equal to or greater than one (1) acre and less than five (5) acres of land. Small construction activity also includes the disturbance of less than one (1) acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than one (1) and less than five (5) acres of land.
- **Large Construction Activity** is construction activity that results in land disturbance of equal to or greater than five (5) acres of land. Large construction activity also includes the disturbance of less than five (5) acres of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than five (5) acres of land.

Control Measure. Any BMP, including structural and non-structural controls, or other method (including effluent limitations) used to prevent or reduce the discharge of pollutants to water in the state.

Daily Average Concentration. The arithmetic average of all effluent samples, composite or grab as required by this permit, within a period of one calendar month, consisting of at least four separate representative measurements. When four samples are not available in a calendar month, the arithmetic average (weighted by flow) of all values taken during the month must be used as the daily average concentration.

Daily Maximum Concentration. The maximum concentration measured on a single day, as determined by laboratory analysis of a grab sample or a composite sample.

Diffuse Point Source. A conveyance from which pollutants are or may be discharged that results from grading land for the purpose of adding parking lots, roads, and buildings so as to collect and convey stormwater off-site to prevent flooding (i.e. without a single point of origin or not introduced into a receiving stream from a specific outlet). Diffuse point sources include any identifiable conveyance from which pollutants might enter surface water in the state. By changing the surface or establishing grading patterns of the land, runoff is conveyed along the resulting drainage or grading patterns. A diffuse point source is not true sheet flow.

Discharge. For the purpose of this permit, the drainage, release, or disposal of stormwater associated with industrial activity and certain allowable non-stormwater sources listed in this general permit to surface water in the state.

Drought. For the purpose of this permit, an extended period of no precipitation in which a stormwater discharge does not occur during a monitoring or reporting period.

Edwards Aquifer. As defined under 30 TAC §213.3 (relating to the Edwards Aquifer), that portion of an arcuate belt of porous, water-bearing, predominantly carbonate rocks known as the Edwards and Associated Limestones in the Balcones Fault Zone trending from west to east to northeast in Kinney, Uvalde, Medina, Bexar, Comal, Hays, Travis, and Williamson Counties; and composed of the Salmon Peak Limestone, McKnight Formation, West Nueces Formation, Devil's River Limestone, Person Formation, Kainer Formation, Edwards Formation, and Georgetown Formation. The permeable aquifer units generally overlie the less-permeable Glen Rose Formation to the south, overlie the less-permeable Comanche Peak and Walnut Formations north of the Colorado River, and underlie the less-permeable Del Rio Clay regionally.

Edwards Aquifer Recharge Zone. Generally, that area where the stratigraphic units constituting the Edwards Aquifer crop out, including the outcrops of other geologic formations in proximity to the Edwards Aquifer, where caves, sinkholes, faults, fractures, or other permeable features would create a potential for recharge of surface waters into the Edwards Aquifer. The recharge zone is identified as that area designated as such on official maps located in the offices of the TCEQ and the appropriate underground water conservation district.

Existing Discharge. For the purpose of this permit, this term applies to the discharge of stormwater associated with industrial activity and certain allowable non-stormwater sources listed in this general permit that has been authorized previously under an National Pollutant Discharge Elimination System (NPDES) or Texas Pollutant Discharge Elimination Suystem (TPDES) general or individual permit.

Facility. For the purpose of this permit, all contiguous land and fixtures (including ponds and lagoons), structures, or appurtenances used at an industrial facility described by one or more of Sectors A through AD of this general permit.

Grab Sample. An individual sample collected in less than 15 minutes.

General Permit. A permit issued to authorize the discharge of waste into or adjacent to water in the state for one or more categories of waste discharge within a geographical area of the state or the entire state as provided by TWC §26.040.

Hyperchlorinated Water. Water resulting from hyperchlorination of waterlines or vessels, with a chlorine concentration greater than 10 milligrams per liter (mg/l).

Hyperchlorination of Waterlines or Vessels. Treatment of potable water lines or tanks with chlorine for disinfection purposes, typically following repair or partial replacement of the waterline or tank, and subsequently flushing the contents.

Impaired Water. For the purposes of this permit, water bodies identified as impaired on the latest approved CWA Section 303(d) List, or waters with an EPA-approved or established total maximum daily load (TMDL) that are found on the latest EPA approved Texas Integrated Report of Surface Water Quality for CWA Sections 305(b) and 303(d) as not meeting applicable state water quality standards.

Inactive Industrial Facilities. A facility where all industrial activities that are described in Part II, Section A.1.of this permit are suspended, and authorization under this general permit is required to be maintained. Also see sector-specific definitions for Inactive facilities in Part V, Sections G, H, J, and L of this general permit.

Industrial Activity. Any of the ten (10) categories of industrial activities included in the definition of "stormwater discharges associated with industrial activity" as defined in 40 Code of Federal Regulations (CFR) §122.26(b)(14)(i)-(ix) and (xi).

Infeasible. For the purpose of this permit, infeasible means not technologically possible or not economically practicable and achievable in light of best industry practices. The TCEQ notes that it does not intend for any MSGP permit requirement to conflict with state water right laws.

Inland Waters. All surface water in the state other than those defined as tidal waters.

Municipal Separate Storm Sewer System (MS4). A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

(a) owned or operated by the United States , a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to state law) having jurisdiction over the disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under CWA §208 that discharges to surface water in the state;

(b) that is designed or used for collecting or conveying stormwater;

(c) that is not a combined sewer; and

(d) that is not part of a publicly owned treatment works (POTW) as defined in 40 CFR §122.2.

National Pollutant Discharge Elimination System (NPDES) (from 40 CFR §122.2). The national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under CWA §§307, 402, 318, and 405. The term includes an "approved program."

New Discharge. For the purpose of this permit, this term applies to the discharge of stormwater associated with industrial activity that did not commence prior to August 13, 1979,

that is not a new source, and that has never received an NPDES or TPDES water quality permit for the stormwater discharge from the site. See 40 CFR §122.2.

Non-structural Controls. Pollution prevention methods that are not physically constructed, including BMPs used to prevent or reduce the discharge of pollutants.

No Exposure. A condition at an industrial facility where all industrial materials and activities are protected by a storm resistant shelter to prevent exposure to rain, snow, snowmelt, and/or runoff. Industrial materials or activities include, but are not limited to, material handling equipment or activities, industrial machinery, raw materials, intermediate products, by-products, final products, or waste products. Material handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product or waste product.

No Exposure Certification (NEC). A written submission to the executive director from an applicant notifying that they intend to obtain a conditional exclusion from permit requirements by certifying that there is no exposure of industrial materials or activities to rain, snow, snowmelt, or stormwater runoff.

Notice of Change (NOC). Written notification from the permittee to the executive director providing changes to information that was previously provided to the agency in a notice of intent or no exposure certification (NEC) form.

Notice of Intent (NOI). A written submission to the executive director from an applicant requesting coverage under this general permit.

Notice of Termination (NOT). A written submission to the executive director from a discharger authorized under a general permit requesting termination of coverage.

Operator. A person responsible for the management of an industrial facility subject to the provisions of this general permit. Industrial facility operators include entities with operational control over industrial activities, including the ability to modify those activities; or entities with day-to-day operational control of activities at a facility necessary to ensure compliance with the permit (e.g., the entity is authorized to direct workers at a facility to carry out activities required by the permit).

Outfall. For the purpose of this permit, a point source at the point where stormwater runoff associated with industrial activity, and certain non-stormwater discharges listed in this permit, exits the facility and discharge(s) to surface water in the state or a municipal or private separate storm sewer system. An outfall from a diffuse point source includes the point or points where the diffuse point source discharges to surface water in the state or a municipal or private separate storm sewer system.

Permittee. An operator authorized under this general permit to discharge stormwater runoff associated with industrial activity and certain non-stormwater discharges to surface water in the state.

Point Source. Any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural stormwater runoff. For the purpose of this permit, a point source includes any identifiable conveyance from which pollutants might enter surface water in the state, including a diffuse point source as defined in this section.

Pollutant. (from TWC §26.001(13)) Dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, filter backwash, munitions, chemical wastes, biological materials,

radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal, and agricultural waste discharged into any water in the state. The term: (A) includes: (i) tail water or runoff water from irrigation associated with an animal feeding operation or concentrated animal feeding operation that is located in a major sole source impairment zone as defined by TWC §26.502; or (ii) rainwater runoff from the confinement area of an animal feeding operation or concentrated animal feeding operation that is located in a major sole source impairment zone, as defined by TWC §26.502; and (B) does not include tail water or runoff water from irrigation or rainwater runoff from other cultivated or uncultivated rangeland, pastureland, and farmland or rainwater runoff from an area of land located in a major sole source impairment zone, as defined by TWC §26.502, that is not owned or controlled by an operator of an animal feeding operation or concentrated animal feeding operation on which agricultural waste is applied.

Pollutants(s) of Concern (POC). For the purpose of this permit, a pollutant of concern (POC) includes biochemical oxygen demand (BOD), sediment, or a parameter that addresses sediment (such as total suspended solids (TSS), turbidity, or siltation), pathogens, oil and grease, and any pollutant that has been identified as a cause of impairment of any water body that will receive a discharge from an MS4 (*See* 40 CFR § 122.32(e)(3)).

Qualified Personnel. A person or persons who are knowledgeable of the requirements of this general permit, familiar with the industrial facility, knowledgeable of the stormwater pollution prevention plan (SWP3) at the industrial facility, able to assess conditions and activities that could impact stormwater quality at the facility, and able to evaluate the effectiveness of control measures.

Reportable Quantity Spill or Release. A discharge or spill of oil, petroleum product, used oil, industrial solid waste, hazardous substances including mixtures, streams, or solutions, or other substances into the environment in a quantity equal to or greater than the reportable quantity listed in 30 TAC §327.4 (relating to Reportable Quantities) in any 24-hour period and subject to 30 TAC §327.3 (relating to Notification Requirements).

Semiarid Areas. Areas with an average annual rainfall of at least ten (10) inches but less than 20 inches.

Separate storm sewer system. A conveyance or system of conveyances (including roads with drainage systems, streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains), designed or used for collecting or conveying stormwater; that is not a combined sewer, and that is not part of a publicly owned treatment works (POTW).

Sheet Flow. An overland flow or downslope movement of water taking the form of a thin, continuous film over relatively smooth soil or rock surfaces that have not been changed or graded, where there are no defined channels, and the flood water spreads out over a large area at a uniform depth. This definition does not include changing the surface of land or establishing grading patterns on land where a facility described in this permit is located, which would result in a point source as defined in this permit.

Significant Materials. Including, but not limited to: raw materials; fuels; materials (e.g., solvents, detergents, and plastic pellets); final products that are not designed for outdoor use; raw materials that are used for food processing or production; hazardous substances designated under CERCLA §101(14) of; any chemical the operator is required to report pursuant to Emergency Planning & Community Right-To-Know Act (EPCRA) §313, also known as Title III of Superfund Amendments and Reauthorization Act (SARA); fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with stormwater discharges.

Standard Industrial Classification (SIC) Code. A four (4) digit code created by the U.S. Office of Management & Budget for statistical classification purposes that describes an industrial activity that takes place at a facility or site. It is possible for a facility or site to have multiple SIC codes depending on the varying activities that take place.

- **Primary SIC Code - (also known as "Site SIC Code" or "Facility SIC Code").** For the purpose of this permit, an SIC code that describes the principal product or group of products produced or distributed at a facility, or that describes services rendered. The primary SIC code may be determined based on the value of receipts or revenues or, if such information is not available for a particular facility, the number of employees or production rate for each process may be compared. The operation that generates the most revenue or employs the most personnel is the operation in which the facility is primarily engaged. In situations where the vast majority of on-site activity falls within one SIC code, that activity may be the primary SIC code.
- **Secondary SIC Code**. For the purpose of this permit an SIC code that describes an industrial activity that is performed at a regulated facility or site that is in addition to the primary SIC code. Determining the secondary industrial activity that occurs at a facility or site is accomplished by using the same criteria as determining the primary industrial activity at the facility (e.g., production value, receipts, employment).

Storm Resistant Shelter. A building or structure that is completely roofed and walled, or a structure with only a top cover but no side coverings, provided that any material or industrial activity located under or within the structure is not subject to any run-on and subsequent runoff of stormwater, or mobilization by wind.

Stormwater and Stormwater Runoff. 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. For the purpose of this general permit, the term includes, but is not limited to, stormwater discharges from industrial plant yards; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; material handling areas; refuse/waste disposal areas; sites used for the application or disposal of process waste waters; sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms), intermediate products, and final products; similar areas where stormwater can contact pollutants related to industrial activity; and areas where industrial activity have taken place in the past and significant materials remain and are exposed to stormwater. For the purposes of this definition, materials handling areas include storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product, by-product or waste product. The term excludes areas located at industrial sites that are separate from the facility's industrial activities, such as office buildings and accompanying parking lots, as long as the drainage from the excluded areas is not mixed with stormwater drained from areas of a facility that are covered by this general permit. This term includes discharges from facilities described under this general permit that are operated by federal, state, or municipal entities. For the complete regulatory definition, including the categories of industrial activity, see 40 CFR §122.26(b)(14).

Structural Controls. Physical or constructed features, such as silt fencing, sediment traps, and detention/retention ponds that prevent or reduce the discharge of pollutants.

Surface Water in the State. Lakes, bays, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, wetlands, marshes, inlets, canals, the Gulf of Mexico inside the territorial limits of the state (from the mean high water mark (MHWM) out 10.36 miles into the Gulf), and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, navigable or nonnavigable, and including the beds and banks of all water-courses and bodies of surface water, that are wholly or partially inside or bordering the state or subject to the jurisdiction of the state; except that waters in treatment systems that are authorized by state or federal law, regulation, or permit, and that are created for the purpose of waste treatment are not considered to be water in the state.

Texas Pollutant Discharge Elimination System (TPDES). The state program for issuing, amending, terminating, monitoring, and enforcing permits, and imposing and enforcing pretreatment requirements, under the CWA §§ 307, 402, 318 and 405, TWC, and TAC regulations.

Tidal Waters. Those waters of the Gulf of Mexico within the jurisdiction of the State of Texas, bays and estuaries, and those portions of rivers and streams that are subject to the ebb and flow of the tides and that are subject to the intrusion of marine waters.

Total Maximum Daily Load (TMDL). The total amount of a pollutant that a water body can assimilate and still meet the Texas Surface Water Quality Standards.

Waters of the United States (from 40 CFR §122.2). Waters of the United States or waters of the U.S. means:

(a) all waters that are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters that are subject to the ebb and flow of the tide;

(b) all interstate waters, including interstate wetlands;

(c) all other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds that the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce including any such waters:

  (1) that are or could be used by interstate or foreign travelers for recreational or other purposes;

  (2) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or

  (3) that are used or could be used for industrial purposes by industries in interstate commerce;

(d) all impoundments of waters otherwise defined as waters of the U.S. under this definition;

(e) tributaries of waters identified in paragraphs (a) through (d) of this definition;

(f) the territorial sea; and

(g) wetlands adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs (a) through (f) of this definition.

Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of the CWA (other than cooling ponds as defined in 40 CFR §423.11(m) that also

meet the criteria of this definition) are not waters of the U.S. This exclusion applies only to manmade bodies of water that neither were originally created in waters of the U.S. (such as disposal area in wetlands) nor resulted from the impoundment of waters of the U.S. [See Note 1 of this section.] Waters of the U.S. do not include prior converted cropland. Notwithstanding the determination of an area's status as prior converted cropland by any other federal agency, for the purposes of the CWA, the final authority regarding CWA jurisdiction remains with EPA.

Part II. PERMIT APPLICABILITY AND COVERAGE

This general permit provides authorization for point source discharges of storm water associated with industrial activity and certain non-storm water discharges to surface water in the state (including direct discharges to surface water in the state and discharges to municipal separate storm sewer systems, or MS4s). The permit contains effluent limitations and requirements applicable to all industrial activities that are eligible for coverage under this general permit. Industrial activities are subdivided into 30 industrial sectors.

This permit does not cover return flows from irrigated agriculture or agricultural runoff.

Section A. Discharges Eligible for Authorization by General Permit

1. Industrial Activities Covered

(a) Need for a Permit. If any of the following criteria are met, a facility must have authorization for stormwater discharges and may obtain authorization under this general permit, if coverage is not otherwise prohibited:

(1) The Standard Industrial Classification (SIC) code that describes the facility (i.e., the primary SIC code) is listed in Part II, Section A.1.b. below and in Part V of this general permit; or

(2) The facility conducts an activity described by one or more Industrial Activity Codes described in Sectors K, L, O, or T (as listed in Part II, Section A.1.b. below and in Part V., Sections K, L, O, and T of this general permit); or

(3) Stormwater discharges from the facility are subject to federal categorical effluent limitations for stormwater in Title 40 CFR Subchapter N Parts 400-471 (See Sectors A, C, D, E, I, J, O, and S in Part V of this general permit), or

(4) The facility has been designated by the executive director as requiring coverage under Sector AD.

The requirements for publicly-owned facilities are further described below in Part II, Section A.5. of this general permit.

(b) Regulated SIC Codes and Industrial Activity Codes (Industrial Sectors)

Industrial activities are grouped into 30 sectors of similar activities based on either SIC codes or Industrial Activity Codes. These sectors are further divided into sub-sectors and further defined by SIC codes in Part V of this general permit.

SECTOR A: TIMBER PRODUCTS

SIC Code	Description of the Industrial Activity
2411	Logging
2421	Sawmills and Planning Mills, General
2426	Hardwood Dimension and Flooring Mills
2429	Special Product Sawmills, Not Elsewhere Classified
2431	Millwork, Veneer, Plywood, And Structural Wood
2435	Hardwood Veneer and Plywood
2436	Softwood Veneer and Plywood
2439	Structural Wood Members, Not Elsewhere Classified
2441	Nailed and Lock Corner Wood Boxes and Shook
2448	Wood Pallets and Skids
2449	Wood Containers, Not Elsewhere Classified
2451	Mobile Homes
2452	Prefabricated Wood Buildings and Components
2491	Wood Preserving
2493	Reconstituted Wood Products
2499	Wood Products, Not Elsewhere Classified

SECTOR B: PAPER AND ALLIED PRODUCTS

SIC Code	Description of the Industrial Activity
2611	Pulp Mills
2621	Paper Mills
2631	Paperboard Mills
2652	Setup Paperboard Boxes
2653	Corrugated and Solid Fiber Boxes
2655	Fiber Cans, Tubes, Drums, and Similar Products
2656	Sanitary Food Containers, Except Folding sanitary cartons
2657	Folding Paperboard Boxes, Including Sanitary folding cartons
2671	Packaging Paper and Plastics Film, Coated and Laminated
2672	Coated and Laminated Paper, Not Elsewhere Classified
2673	Plastics, Foil, and Coated Paper Bags
2674	Uncoated Paper and Multiwall Bags

SIC Code	Description of the Industrial Activity
2675	Die-Cut Paper and Paperboard and Cardboard
2676	Sanitary Paper Products
2677	Envelopes
2678	Stationery, Tablets, and Related Products
2679	Converted Paper and Paperboard Products, Not Elsewhere Classified

SECTOR C: CHEMICAL AND ALLIED PRODUCTS

SIC Code	Description of the Industrial Activity
2812	Industrial Inorganic Chemicals Alkalies and Chlorine
2813	Industrial Inorganic Chemicals Industrial Gases
2816	Inorganic Pigments
2819	Industrial Inorganic Chemicals, Not Elsewhere Classified
2821	Plastics Materials, Synthetic Resins, and Nonvulcanizable Elastomers
2822	Synthetic Rubber (Vulcanizable Elastomers)
2823	Cellulosic Manmade Fibers
2824	Manmade Organic Fibers, Except Cellulosic
2833	Medicinal Chemicals and Botanical Products
2834	Pharmaceutical Preparations
2835	In Vitro and In Vivo Diagnostic Substances
2836	Biological Products, Except Diagnostic Substances
2841	Soap & Other Detergents, Except Specialty Cleaners
2842	Specialty Cleaning, Polishing, and Sanitation Preparations
2843	Surface Active Agents, Finishing Agents, Sulfonated Oils, and Assistants
2844	Perfumes, Cosmetics, and Other Toilet Preparations
2851	Paints, Varnishes, Lacquers, Enamels, and Allied Products
2861	Gum and Wood Chemicals
2865	Cyclic Organic Crudes and Intermediates, and Organic Dyes and Pigments
2869	Industrial Organic Chemicals, Not Elsewhere Classified
2873	Nitrogenous Fertilizers
2874	Phosphatic Fertilizers

SIC Code	Description of the Industrial Activity
2875	Fertilizers, Mixing Only Compost Fertilizers, mixed: made in plants not manufacturing fertilizer Potting soil, mixed
2879	Pesticides and Agricultural Chemicals, Not Elsewhere Classified
2891	Adhesives and Sealants
2892	Explosives
2893	Printing Ink
2895	Carbon Black
2899	Chemicals and Chemical Preparations, Not Elsewhere Classified
2911	Petroleum Refineries
3952	(Limited to List)-Inks and Paints, including: China Painting Enamels, India Ink, Drawing Ink, Platinum Paints for Burnt Wood or Leather Work, Paints for China Painting; Artist's Paints, and Artist's Watercolors

SECTOR D: ASPHALT PAVING AND ROOFING MATERIALS AND LUBRICANTS

SIC Code	Description of the Industrial Activity
2951	Asphalt Paving Mixtures and Blocks
2952	Asphalt Felts and Coatings
2992	Lubricating Oils and Greases
2999	Products of Petroleum and Coal, Not Elsewhere Classified

SECTOR E: GLASS, CLAY, CEMENT, CONCRETE, AND GYPSUM PRODUCTS

SIC Code	Description of the Industrial Activity
3211	Flat Glass
3221	Glass Containers for commercial packing and bottling, and for home canning
3229	Pressed and Blown Glass and Glassware, Not Elsewhere Classified
3231	Glass Products, Made of Purchased Glass
3241	Cement, Hydraulic
3251	Brick and Structural Clay Tile
3253	Ceramic Wall and Floor Tile
3255	Clay Refractories
3259	Structural Clay Products, Not Elsewhere Classified

SIC Code	Description of the Industrial Activity
3261	Vitreous China Plumbing Fixtures and China and Earthenware Fittings and Bathroom Accessories
3262	Vitreous China Table and Kitchen Articles
3263	Fine Earthenware (Whiteware) Table and Kitchen Articles
3264	Porcelain Electrical Supplies
3269	Pottery Products, Not Elsewhere Classified
3271	Concrete Block and Brick
3272	Concrete Products, Except Block and Brick
3273	Ready-Mixed Concrete
3274	Lime
3275	Gypsum Products
3281	Cut Stone and Stone Products
3291	Abrasive Products
3292	Asbestos Products
3295	Minerals and Earths, Ground or Otherwise Treated
3296	Mineral Wool
3297	Nonclay Refractories
3299	Nonmetallic Mineral Products, Not Elsewhere Classified

SECTOR F: PRIMARY METALS

SIC Code	Description of the Industrial Activity
3312	Steel Works, Blast Furnaces (Including Coke Ovens), and Rolling Mills
3313	Electrometallurgical Products, Except Steel
3315	Steel Wiredrawing and Steel Nails and Spikes
3316	Cold-Rolled Steel Sheet, Strip, and Bars
3317	Steel Pipe and Tubes
3321	Gray and Ductile Iron Foundries
3322	Malleable Iron Foundries
3324	Steel Investment Foundries
3325	Steel Foundries, Not Elsewhere Classified
3331	Primary Smelting and Refining of Copper
3334	Primary Production of Aluminum

SIC Code	Description of the Industrial Activity
3339	Primary Smelting and Refining of Nonferrous Metals, Except Copper and Aluminum
3341	Secondary Smelting and Refining of Nonferrous Metals
3351	Rolling, Drawing, and Extruding Of Copper
3353	Aluminum Sheet, Plate, and Foil
3354	Aluminum Extruded Products
3355	Aluminum Rolling and Drawing, Not Elsewhere Classified
3356	Rolling, Drawing, and Extruding of Nonferrous Metals, Except Copper and Aluminum
3357	Drawing and Insulating of Nonferrous Wire
3363	Aluminum Die-Castings
3364	Nonferrous Die-Castings, Except Aluminum
3365	Aluminum Foundries
3366	Copper Foundries
3369	Nonferrous Foundries, Except Aluminum and Copper
3398	Metal Heat Treating
3399	Primary Metal Products, Not Elsewhere Classified

SECTOR G: METAL MINING (ORE MINING AND DRESSING)

SIC Code	Description of the Industrial Activity
1011	Iron Ores
1021	Copper Ores
1031	Lead and Zinc Ores
1041	Gold Ores
1044	Silver Ores
1061	Ferroalloy Ores, Except Vanadium
1081	Metal Mining Services
1094	Uranium-Radium-Vanadium Ores
1099	Miscellaneous Metal Ores, Not Elsewhere Classified

SECTOR H: COAL MINES AND COAL MINING RELATED FACILITIES

SIC Code	Description of the Industrial Activity
1221	Bituminous Coal and Lignite Surface Mining
1222	Bituminous Coal Underground Mining
1231	Anthracite Mining
1241	Coal Mining Services

SECTOR I: OIL AND GAS EXTRACTION FACILITIES

SIC Code	Description of the Industrial Activity
Industrial Activities Regulated under the EPA Region 6 NPDES Program:	
1311	Crude Petroleum and Natural Gas
1321	Natural Gas Liquids
1381	Drilling Oil and Gas Wells
1382	Oil and Gas Field Exploration Services
1389	Oil and Gas Field Services, Not Elsewhere Classified (Applies to activities that occur in the field; (other than oil field service company "home base" facilities).
Industrial Activities Regulated under this General Permit:	
1389	Oil and Gas Field Services, (applies to activities that do not occur in the field); Not Elsewhere Classified, that occur at a company headquarters, permanent offices, or base of operations, or at oil field service company "home base" facilities).

SECTOR J: MINERAL MINING AND PROCESSING FACILITIES

SIC Code	Description of the Industrial Activity
1411	Dimension Stone
1422	Crushed and Broken Limestone
1423	Crushed and Broken Granite
1429	Crushed and Broken Stone, Not Elsewhere Classified
1442	Construction Sand and Gravel
1446	Industrial Sand
1455	Kaolin and Ball Clay
1459	Clay, Ceramic, and Refractory Minerals, Not Elsewhere Classified
1474	Potash, Soda, and Borate Minerals

SIC Code	Description of the Industrial Activity
1475	Phosphate Rock
1479	Chemical and Fertilizer Mineral Mining, Not Elsewhere Classified
1481	Nonmetallic Minerals Services, Except Fuels
1499	Miscellaneous Nonmetallic Minerals, Except Fuels

SECTOR K: HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES

Activity Code	Description of the Industrial Activity
HZ	HZ Hazardous Waste Treatment, Storage, and Disposal Facilities

SECTOR L: LANDFILLS AND LAND APPLICATION SITES

Activity Code	Description of the Industrial Activity
LF	Landfills, Land Application Sites, and Open Dumps that Receive or Have Previously Received Industrial Waste. under subtitle C of RCRA & including those that are subject to regulation under subtitle D of RCRA

SECTOR M: AUTOMOBILE SALVAGE YARDS

SIC Code	Description of the Industrial Activity
5015	Automobile Salvage Yards

SECTOR N: SCRAP AND WASTE RECYCLING FACILITIES

SIC Code	Description of the Industrial Activity
5093	Scrap and Waste Recycling Facilities (e.g., metals, paper, plastic, cardboard, glass, animal hides, used oil, antifreeze, mineral spirits, industrial solvents, computers, electronics, and other materials listed in the SIC Code Manual

SECTOR O: STEAM ELECTRIC GENERATING FACILITIES

Activity Code	Description of the Industrial Activity
SE	Steam Electric Power Generating Facilities

SECTOR P: LAND TRANSPORTATION AND WAREHOUSING

SIC Code	Description of the Industrial Activity
4011	Railroads, Line-Haul Operating
4013	Railroad Switching and Terminal Establishments
4111	Local and Suburban Transit
4119	Local Passenger Transportation, Not Elsewhere Classified
4121	Taxicabs
4131	Intercity and Rural Bus Transportation
4141	Bus charter service, local
4142	Bus Charter Service, Except Local
4151	School Buses
4173	Terminal and Service Facilities for Motor Vehicle Passenger Transportation
4212	Local Trucking Without Storage
4213	Trucking, Except Local
4214	Local Trucking With Storage
4215	Courier Services, Except by Air
4221	Farm Product Warehousing and Storage
4222	Refrigerated Warehousing and Storage
4225	General Warehousing and Storage
4226	Special Warehousing and Storage, Not Elsewhere Classified
4231	Terminal and Joint Terminal Maintenance Facilities for Motor Freight Transportation
4311	United States Postal Service
5171	Petroleum Bulk stations and Terminals primarily engaged in the wholesale distribution of crude petroleum and petroleum products, including liquefied petroleum gas, from bulk liquid storage facilities

SECTOR Q: WATER TRANSPORTATION

SIC Code	Description of the Industrial Activity
4412	Deep Sea Foreign Transportation of Freight
4424	Deep Sea Domestic Transportation of Freight
4449	Water Transportation of Freight, Not Elsewhere Classified
4481	Deep Sea Transportation of Passengers, Except by Ferry

SIC Code	Description of the Industrial Activity
4482	Ferries
4489	Water Transportation of Passengers, Not Elsewhere Classified
4491	Marine Cargo Handling
4492	Towing and Tugboat Services
4493	Marinas
4499	Water Transportation Services, Not Elsewhere Classified

SECTOR R: SHIP AND BOAT BUILDING OR REPAIRING YARDS

SIC Code	Description of the Industrial Activity
3731	Ship Building and Repairing
3732	Boat Building and Repairing
7699	Ship scaling service not done at a ship yard [1]
7699	Motorboats (inboard and outboard) repair and maintenance services; outboard motor repair shops [1]

1 Only the two activities whose SIC code is 7699 Repair Shops and Related Services Not Elsewhere Classified are covered by this permit. All other activities associated with SIC code 7699 are not subject to this permit.

SECTOR S: AIR TRANSPORTATION

SIC Code	Description of the Industrial Activity
4512	Air Transportation, Scheduled
4513	Air Courier Services
4522	Air Transportation, Nonscheduled
4581	Airports, Flying Fields, and Airport Terminal Services

SECTOR T: TREATMENT WORKS

Activity Code	Description of the Industrial Activity
TW	TW Certain Wastewater Treatment Plants

SECTOR U: FOOD AND KINDRED PRODUCTS FACILITIES

SIC Code	Description of the Industrial Activity
2011	Meat Packing Plants
2013	Sausages and Other Prepared Meat Products

SIC Code	Description of the Industrial Activity
2015	Poultry Slaughtering and Processing
2021	Creamery Butter
2022	Natural, Processed, and Imitation Cheese
2023	Dry, Condensed, and Evaporated Dairy Products
2024	Ice Cream and Frozen Desserts
2026	Fluid Milk
2032	Canned Specialties
2033	Canned Fruits, Vegetables, Preserves, Jams, and Jellies
2034	Dried and Dehydrated Fruits, Vegetables, and Soup Mixes
2035	Pickled Fruits and Vegetables, Vegetable Sauces and Seasonings, and Salad Dressing
2037	Frozen Fruits, Fruit Juices, and Vegetables
2038	Frozen Specialties, Not Elsewhere Classified
2041	Flour and Other Grain Mill Products
2043	Cereal Breakfast Foods
2044	Rice Milling
2045	Prepared Flour Mixes and Doughs
2046	Wet Corn Milling
2047	Dog and Cat Food
2048	Prepared Feed and Feed Ingredients for Animals and Fowls, Except Dogs and Cats
2051	Bread and Other Bakery Products, Except Cookies and Crackers
2052	Cookies and Crackers
2053	Frozen Bakery Products, Except Bread
2061	Cane Sugar, Except Refining
2062	Cane Sugar Refining
2063	Beet Sugar
2064	Candy and Other Confectionery Products
2066	Chocolate and Cocoa Products
2067	Chewing Gum
2068	Salted and Roasted Nuts and Seeds
2074	Cottonseed Oil Mills
2075	Soybean Oil Mills

SIC Code	Description of the Industrial Activity
2076	Vegetable Oil Mills, Except Corn, Cottonseed, and Soybean
2077	Animal and Marine Fats and Oils
2079	Shortening, Table Oils, Margarine, and Other Edible Fats and Oils, Not Elsewhere Classified
2082	Malt Beverages
2083	Malt
2084	Wines, Brandy, and Brandy Spirits
2085	Distilled and Blended Liquors
2086	Bottled and Canned Soft Drinks and Carbonated Waters
2087	Flavoring Extracts and Flavoring Syrups, Not Elsewhere Classified
2091	Canned and Cured Fish and Seafoods
2092	Prepared Fresh or Frozen Fish and Seafoods
2095	Roasted Coffee
2096	Potato Chips, Corn Chips, and Similar Snacks
2097	Manufactured Ice
2098	Macaroni, Spaghetti, Vermicelli, and Noodles
2099	Food Preparations, Not Elsewhere Classified
2111	Cigarettes
2121	Cigars
2131	Chewing and Smoking Tobacco and Snuff
2141	Tobacco Stemming and Redrying

SECTOR V: TEXTILE MILLS, APPAREL, AND OTHER FABRIC PRODUCT MANUFACTURING FACILITIES

SIC Code	Description of the Industrial Activity
2211	Broadwoven Fabric Mills, Cotton
2221	Broadwoven Fabric Mills, Manmade Fiber and Silk
2231	Broadwoven Fabric Mills, Wool (Including Dyeing and Finishing)
2241	Narrow Fabric and Other Smallware Mills: Cotton, Wool, Silk, and Manmade Fiber
2251	Women's Full-Length and Knee-Length Hosiery, Except Socks
2252	Hosiery, Not Elsewhere Classified

SIC Code	Description of the Industrial Activity
2253	Knit Outerwear Mills
2254	Knit Underwear and Nightwear Mills
2257	Weft Knit Fabric Mills
2258	Lace and Warp Knit Fabric Mills
2259	Knitting Mills, Not Elsewhere Classified
2261	Finishers of Broadwoven Fabrics of Cotton
2262	Finishers of Broadwoven Fabrics of Manmade Fiber and Silk
2269	Finishers of Textiles, Not elsewhere Classified
2273	Carpets and Rugs
2281	Yarn Spinning Mills
2282	Yarn Texturizing, Throwing, Twisting, and Winding Mills
2284	Thread Mills
2295	Coated Fabrics, Not Rubberized
2296	Tire Cord and Fabrics
2297	Non-woven Fabrics
2298	Cordage and Twine
2299	Textile goods, Not Elsewhere Classified
2311	Men's and Boys' Suits, Coats, and Overcoats
2321	Men's and Boys' Shirts, Except Work Shirts
2322	Men's and Boys' Underwear and Nightwear
2323	Men's and Boys' Neckwear
2325	Men's and Boys' Separate Trousers and Slacks
2326	Men's and Boys' Work Clothing
2329	Men's and Boys' Clothing, Not Elsewhere Classified
2331	Women's, Misses', and Juniors' Blouses and Shirts
2335	Women's, Misses', and Juniors' Dresses
2337	Women's, Misses', and Juniors' Suits, Skirts, and Coats
2339	Women's, Misses', and Juniors' Outerwear, Not Elsewhere Classified
2341	Women's, Misses', Children's, and Infants' Underwear and Nightwear
2342	Brassieres, Girdles, and Allied Garments
2353	Hats, Caps, and Millinery
2361	Girls', Children's, and Infants' Dresses, Blouses, and Shirts

SIC Code	Description of the Industrial Activity
2369	Girls', Children's, and Infants' Outerwear, Not Elsewhere Classified
2371	Fur Goods
2381	Dress and Work Gloves, Except Knit and All-Leather
2384	Robes and Dressing Gowns
2385	Waterproof Outerwear
2386	Leather and Sheep-Lined Clothing
2387	Apparel belts
2389	Apparel and Accessories, Not Elsewhere Classified
2391	Curtains and Draperies
2392	House furnishing, Except Curtains and Draperies
2393	Textile Bags
2394	Canvas and Related Products
2395	Pleating, Decorative and Novelty Stitching, and Tucking for the Trade
2396	Automotive Trimmings, Apparel Findings, and Related Products
2397	Schiffli Machine Embroideries
2399	Fabricated Textile Products, Not Elsewhere Classified
3131	Boot and Shoe Cut Stock and Findings
3142	House Slippers
3143	Men's Footwear, Except Athletic
3144	Women's Footwear, Except Athletic
3149	Footwear, Except Rubber, Not Elsewhere Classified
3151	Leather Gloves and Mittens
3161	Luggage
3171	Women's Handbags and Purses
3172	Personal Leather Goods, Except Women's Handbags and Purses
3199	Leather Goods, Not Elsewhere Classified

SECTOR W: FURNITURE AND FIXTURES

SIC Code	Description of the Industrial Activity
2434	Wood Kitchen Cabinets
2511	Wood Household Furniture, Except Upholstered
2512	Wood Household Furniture, Upholstered
2514	Metal Household Furniture

SIC Code	Description of the Industrial Activity
2115	Mattresses, Foundations, and Convertible Beds
2517	Wood Television, Radio, Phonograph, and Sewing Machine Cabinets
2519	Household Furniture, Not Elsewhere Classified
2521	Wood Office Furniture
2522	Office Furniture, Except Wood
2531	Public Building and Related Furniture
2541	2541 Wood Office and Store Fixtures, Partitions, Shelving, and Lockers
2542	Office and Store Fixtures, Partitions, Shelving, and Lockers, Except Wood
2591	Drapery Hardware and Window Blinds and Shades
2599	Furniture and Fixtures, Not Elsewhere Classified

SECTOR X: PRINTING AND PUBLISHING

SIC Code	Description of the Industrial Activity
2711	Newspapers: Publishing, or Publishing and Printing
2721	Periodicals: Publishing, or Publishing and Printing
2731	Books: Publishing, or Publishing and Printing
2732	Book Printing
2741	Miscellaneous Publishing
2752	Commercial Printing, Lithographic
2754	Commercial Printing, Gravure
2759	Commercial Printing, Not Elsewhere Classified
2761	Manifold Business Forms
2771	Greeting Cards
2782	Blankbooks, Looseleaf Binders and Devices
2789	Bookbinding and Related Work
2791	Typesetting
2796	Platemaking and Related Services

SECTOR Y: RUBBER, MISCELLANEOUS PLASTIC PRODUCTS, AND MISCELLANEOUS MANUFACTURING FACILITIES

SIC Code	Description of the Industrial Activity
3011	Tires and Inner Tubes
3021	Rubber and Plastics Footwear
3052	Rubber and Plastics Hose and Belting
3053	Gaskets, Packing, and Sealing Devices
3061	Molded, Extruded, and Lathe-Cut Mechanical Rubber Goods
3069	Fabricated Rubber Products, Not Elsewhere Classified
3081	Unsupported Plastics Film and Sheet
3082	Unsupported Plastics Profile Shapes
3083	Laminated Plastics Plate, Sheet, and Profile Shapes
3084	Plastics Pipe
3085	Plastics Bottles
3086	Plastics Foam Products
3087	Custom Compounding of Purchased Plastics Resins
3088	Plastics Plumbing Fixtures
3089	Plastics Products, Not Elsewhere Classified
3942	Dolls and Stuffed Toys
3944	Games, Toys, and Children's Vehicles, Except Dolls and Bicycles
3949	Sporting and Athletic Goods, Not Elsewhere Classified
3951	Pens, Mechanical Pencils, and Parts
3953	Marking Devices
3955	Carbon Paper and Inked Ribbons
3961	Costume Jewelry and Costume Novelties, Except Precious Metal
3965	Fasteners, Buttons, Needles, and Pins
3991	Brooms and Brushes
3993	Signs and Advertising Specialties
3995	Burial Caskets
3996	Linoleum, Asphalted-Felt-Base, and Other Hard Surface Floor Coverings, Not Elsewhere Classified
3999	Manufacturing Industries, Not Elsewhere Classified

SECTOR Z: LEATHER TANNING AND FINISHING

SIC Code	Description of the Industrial Activity
3111	Leather Tanning and Finishing

SECTOR AA: FABRICATED METAL PRODUCTS FACILITIES

SIC Code	Description of the Industrial Activity
3411	Metal Cans
3412	Metal Shipping Barrels, Drums, Kegs, and Pails
3421	Cutlery
3423	Hand and Edge Tools, Except Machine Tools and Handsaws
3425	Saw Blades and Handsaws
3429	Hardware, Not Elsewhere Classified
3431	Enameled Iron and Metal Sanitary Ware
3432	Plumbing Fixture Fittings and Trim
3433	Heating Equipment, Except Electric and Warm Air Furnaces
3441	Fabricated Structural Metal
3442	Metal Doors, Sash, Frames, Molding, and Trim Manufacturing
3443	Fabricated Plate Work (Boiler Shops)
3444	Sheet Metal Work
3446	Architectural and Ornamental Metal Work
3448	Prefabricated Metal Buildings and Components
3449	Miscellaneous Structural Metal Work
3451	Screw Machine Products
3452	Bolts, Nuts, Screws, Rivets, and Washers
3462	Iron and Steel Forgings
3463	Nonferrous Forgings
3465	Automotive Stampings
3466	Crowns and Closures
3469	Metal Stampings, Not Elsewhere Classified
3471	Electroplating, Plating, Polishing, Anodizing, and Coloring
3479	Coating, Engraving, and Allied Services, Not Elsewhere Classified
3482	Small Arms Ammunition
3483	Ammunition, Except for Small Arms

SIC Code	Description of the Industrial Activity
3484	Small Arms Manufacturing
3489	Ordnance and Accessories, Not Elsewhere Classified
3491	Industrial Valves
3492	Fluid Power Valves and Hose Fittings
3493	Steel Springs, Except Wire
3494	Valves and Pipe Fittings, Not Elsewhere Classified
3495	Wire Springs
3496	Miscellaneous Fabricated Wire Products
3497	Metal Foil and Leaf
3498	Fabricated Pipe and Pipe Fittings
3499	Fabricated Metal Products, Not Elsewhere Classified
3911	Jewelry, Precious Metal
3914	Silverware, Plated Ware, and Stainless Steel Ware
3915	Jewelers' Findings and Materials, and Lapidary Work
3931	Musical Instruments

SECTOR AB: TRANSPORTATION EQUIPMENT, INDUSTRIAL OR COMMERCIAL MACHINERY MANUFACTURING FACILITIES

SIC Code	Description of the Industrial Activity
3511	Steam, Gas, and Hydraulic Turbines, and Turbine Generator Set Units
3519	Internal Combustion Engines, Not Elsewhere Classified
3523	Farm Machinery and Equipment
3524	Lawn and Garden Tractors and Home Lawn and Garden Equipment
3531	Construction Machinery and Equipment
3532	Mining Machinery and Equipment, Except Oil and Gas Field Machinery and Equipment
3533	Oil and Gas Field Machinery and Equipment
3534	Elevators and Moving Stairways
3535	Conveyors and Conveying Equipment
3536	Overhead Traveling Cranes, Hoists, and Monorail Systems
3537	Industrial Trucks, Tractors, Trailers, and Stackers
3541	Machine Tools, Metal Cutting Types
3542	Machine Tools, Metal Forming Types

SIC Code	Description of the Industrial Activity
3543	Industrial Patterns
3544	Special Dies and Tools, Die Sets, Jigs and Fixtures, and Industrial Molds
3545	Cutting Tools, Machine Tool Accessories, and Machinists' Precision Measuring Devices
3546	Power-Driven Hand tools
3547	Rolling Mill Machinery and Equipment
3548	Electric and Gas Welding and Soldering Equipment
3549	Metalworking Machinery, Not Elsewhere Classified
3552	Textile Machinery
3553	Woodworking Machinery
3554	Paper Industries Machinery
3555	Printing Trades Machinery and Equipment
3556	Food Products Machinery
3559	Special Industry Machinery, Not Elsewhere Classified
3561	Pumps and Pumping Equipment
3562	Ball and Roller Bearings
3563	Air and Gas Compressors
3564	Industrial and Commercial Fans and Blowers and Air Purification Equipment
3565	Packaging Machinery
3566	Speed Changers, Industrial High-Speed Drives, and Gears
3567	Industrial Process Furnaces and Ovens
3568	Mechanical Power Transmission Equipment, Not Elsewhere Classified
3569	General Industrial Machinery and Equipment, Not Elsewhere
3581	Automatic Vending Machines
3582	Commercial Laundry, Drycleaning, and Pressing Machines
3585	Air-Conditioning and Warm Air Heating Equipment and Commercial and Industrial Refrigeration Equipment
3586	Measuring and Dispensing Pumps
3589	Service Industry Machinery, Not Elsewhere Classified
3592	Carburetors, Pistons, Piston Rings, and Valves
3593	Fluid Power Cylinders and Actuators
3594	Fluid Power Pumps and Motors
3596	Scales and Balances, Except Laboratory

SIC Code	Description of the Industrial Activity
3599	Industrial and Commercial Machinery and Equipment, Not Elsewhere Classified
3711	Motor Vehicles and Passenger Car Bodies
3713	Truck and Bus Bodies
3714	Motor Vehicle Parts and Accessories
3715	Truck Trailers
3716	Motor Homes
3721	Aircraft
3724	Aircraft Engines and Engine Parts
3728	Aircraft Parts and Auxiliary Equipment, Not Elsewhere Classified
3743	Railroad Equipment
3751	Motorcycles, Bicycles, and Parts
3761	Guided Missiles and Space Vehicles
3764	Guided Missile and Space Vehicle Propulsion Units and Propulsion Unit Parts
3769	Guided Missile Space Vehicle Parts and Auxiliary Equipment, Not Elsewhere Classified
3792	Travel Trailers and Campers
3795	Tanks and Tank Components
3799	Transportation Equipment, Not Elsewhere Classified

SECTOR AC: ELECTRONIC, ELECTRICAL, PHOTOGRAPHIC, AND OPTICAL GOODS

SIC Code	Description of the Industrial Activity
3571	Electronic Computers
3572	Computer Storage Devices
3575	Computer Terminals
3577	Computer Peripheral Equipment, Not Elsewhere Classified
3578	Calculating and Accounting Machines, Except Electronic Computers
3579	Office Machines, Not Elsewhere Classified
3612	Power, Distribution, and Specialty Transformers
3613	Switchgear and Switchboard Apparatus
3621	Motors and Generators

SIC Code	Description of the Industrial Activity
3624	Carbon and Graphite Products
3625	Relays and Industrial Controls
3629	Electrical Industrial Apparatus, Not Elsewhere Classified
3631	Household Cooking Equipment
3632	Household Refrigerators and Home and Farm Freezers
3633	Household Laundry Equipment
3634	Electric Housewares and Fans
3635	Household Vacuum Cleaners
3639	Household Appliances, Not Elsewhere Classified
3641	Electric Lamp Bulbs and Tubes
3643	Current-Carrying Wiring Devices
3644	Noncurrent-Carrying Wiring Devices
3645	Residential Electric Lighting Fixtures
3646	Commercial, Industrial, and Institutional Electric Lighting Fixtures
3647	Vehicular Lighting Equipment
3648	Lighting Equipment, Not Elsewhere Classified
3651	Household Audio and Video Equipment
3652	Phonograph Records and Prerecorded Audio Tapes and Disks
3661	Telephone and Telegraph Apparatus
3663	Radio and Television Broadcasting and Communications Equipment
3669	Communications Equipment, Not Elsewhere Classified
3671	Electron Tubes
3672	Printed Circuit Boards
3674	Semiconductors and Related Devices
3675	Electronic Capacitors
3676	Electronic Resistors
3677	Electronic Coils, Transformers, and Other Inductors
3678	Electronic Connectors
3679	Electronic Components, Not Elsewhere Classified
3691	Storage Batteries
3692	Primary Batteries, Dry and Wet
3694	Electrical Equipment for Internal Combustion Engines
3695	Magnetic And Optical Recording Media

SIC Code	Description of the Industrial Activity
3699	Electrical Machinery, Equipment, and Supplies, Not Elsewhere
3812	Search, Detection, Navigation, Guidance, Aeronautical, and Nautical Systems and Instruments
3821	Laboratory Apparatus and Furniture
3822	Automatic Controls for Regulating Residential and Commercial Environments and Appliances
3823	Industrial Instruments for Measurement, Display, and Control of Process Variables; and Related Products
3824	Totalizing Fluid Meters and Counting Devices
3825	Instruments for Measuring and Testing of Electricity and Electrical Signals
3826	Laboratory Analytical Instruments
3827	Optical Instruments and Lenses
3929	Measuring and Controlling Devices, Not Elsewhere Classified
3841	Surgical and Medical Instruments and Apparatus
3842	Orthopedic, Prosthetic, and Surgical Appliances and Supplies
3843	Dental Equipment and Supplies
3844	X-Ray Apparatus and Tubes and Related Irradiation Apparatus
3845	Electromedical and Electrotherapeutic Apparatus
3851	Ophthalmic Goods
3861	Photographic Equipment and Supplies
3873	Watches, Clocks, Clockwork Operated Devices, and Parts

SECTOR AD: MISCELLANEOUS INDUSTRIAL ACTIVITIES

Activity Codes and Description of Industry

Limited to facilities that are designated by the executive director as needing a permit to control pollution related to stormwater discharges and that do not meet the description of an industrial activity covered by Sectors A-AC

2. Miscellaneous Industrial Activities

Sector AD is used to provide permit coverage for facilities that are designated by the executive director as needing a permit to control pollution related to stormwater discharges and do not meet the description of an industrial activity covered by Sectors A through AC. A facility that is not otherwise listed in Part V of this general permit is not eligible to apply for coverage under Sector AD, unless directed to do so in writing by the executive director.

3. Co-located Industrial Activities

A facility operator is required to either obtain authorization under this general permit, under an individual TPDES stormwater permit, or under an alternative general permit if the facility meets one or more of the criteria listed in Part II, Section A.1.(a) above. If these facilities have additional activities that are described by a secondary SIC code that is listed in the table above, then these additional activities are described as co-located industrial activities. Stormwater discharges from co-located industrial activities may be authorized under this general permit provided that the operator complies with all of the sector specific requirements defined in Part V of this general permit for each of these co-located activities. The sector specific requirements apply only to the portion of the facility where that specific sector of activity occurs, except where runoff from different activities combines before leaving the property. In cases where these discharges combine, the monitoring requirements and effluent limitations from each sector that contributes runoff to the discharge must be met.

4. Co-located Industrial Facilities

A facility operator is required to either obtain authorization under this general permit, under an individual TPDES stormwater permit, or under an alternative general permit if the facility meets one or more of the criteria in Part II, Section A.1.(a) above. Multiple industrial facilities may be described as "co-located" if they share a common property boundary. If authorization under this general permit is sought, the operator of each of co-located facility must individually obtain authorization to discharge under this general permit.

Each co-located facility will be issued a distinct authorization number. Each co-located industrial facility operator may either develop a separate stormwater pollution prevention plan (SWP3 or plan), or may participate in a shared SWP3. Co-located industrial facilities that develop a shared SWP3 must develop the SWP3 to meet the requirements stated in Parts III and V of this general permit, in addition to the following:

(a) Participants. The SWP3 must clearly list the name and authorization number (when known) for each facility that participates in the shared SWP3. Each participant in the shared plan must sign the SWP3 according to 30 TAC §305.128 (relating to Signatories to Reports.)

(b) Responsibilities. The SWP3 must clearly indicate which permittee is responsible for performing each shared element of the SWP3. If the responsibility for performing an element is not described in the plan, then each permittee is entirely responsible for performing the element within the boundaries of its facility and in any common or shared area. The SWP3 must clearly describe responsibilities for meeting each element in shared or common areas.

(c) Site Map. The site map must clearly delineate the boundaries around each co-located industrial facility and the boundaries around shared or common areas that are used by two or more facilities.

Co-located facilities may alternatively obtain a conditional exclusion based on no-exposure, in accordance with Part II, Section C. of this general permit, if applicable.

5. Requirements for Military Installations and Other Publicly-Owned Facilities

(a) Stormwater discharges from military or other public installations or government institutions that conduct any industrial activities described by an SIC code or an industrial activity code that is listed in Part II, Section A.1. and Part V of this general

permit, or that otherwise meet the conditions described in Part II, Section A.1.(a) relating to the need for a permit, must either be authorized under this general permit, an individual TPDES stormwater permit, or an alternative general permit. For example, the SIC code of military installations is 9711 and the SIC code for universities is 8221, neither of which are listed in this general permit; however, the need for a permit will be based on individual activities that occur at the installation.

(b) Other publicly operated facilities (i.e., stand-alone facilities) that conduct activities described under Part II, Section A.1. of this general permit must meet the conditions of the general permit for those regulated activities. For example, a city-operated landfill would be described by industrial activity code LF and would need a permit, and a county-operated bus maintenance facility would fall under SIC Code 4111 or 4173 and would also need a permit. However, the general vehicle maintenance shop for a city's motor pool would not typically be regulated unless the vehicles being maintained would classify the maintenance yard under an SIC code in the 4100 or 4200 series (for example if the city motor pool also maintains the city's public transportation busses and the yard performs at least 50% of its maintenance activities on the city's public transportation busses).

6. Non-Stormwater Discharges

Industrial facilities that qualify for coverage under this general permit may discharge the following non-stormwater discharges through outfalls identified in the SWP3, according to the requirements of this general permit:

(a) discharges from emergency fire fighting activities and uncontaminated fire hydrant flushings (excluding discharges of hyperchlorinated water, unless the water is first dechlorinated and discharges are not expected to adversely affect aquatic life);

(b) potable water sources (excluding discharges of hyperchlorinated water, unless the water is first dechlorinated and discharges are not expected to adversely affect aquatic life);

(c) lawn watering and similar irrigation drainage, provided that all pesticides, herbicides, and fertilizer have been applied in accordance with the approved labeling;

(d) water from the routine external washing of buildings, conducted without the use of detergents or other chemicals;

(e) water from the routine washing of pavement conducted without the use of detergents or other chemicals and where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed);

(f) uncontaminated air conditioner condensate, compressor condensate, and steam condensate, and condensate from the outside storage of refrigerated gases or liquids;

(g) water from foundation or footing drains where flows are not contaminated with pollutants (e.g., process materials, solvents, and other pollutants);

(h) uncontaminated water used for dust suppression;

(i) springs and other uncontaminated groundwater;

(j) incidental windblown mist from cooling towers that collects on rooftops or adjacent portions of the facility, but excluding intentional discharges from the cooling tower (e.g., "piped" cooling tower blowdown or drains); and

(k) other discharges described in Part V of this permit that are subject to effluent guidelines and effluent limitations.

Section B. Limitations on Permit Coverage

1. Suspension or Revocation of Permit Coverage

Authorization under this general permit may be suspended or revoked for cause. Filing a notice of planned changes or anticipated non-compliance by the permittee does not stay any permit condition. The permittee shall furnish to the executive director, upon request, any information necessary for the executive director to determine whether cause exists for revoking, suspending, or terminating authorization under this permit. Additionally, the permittee shall provide to the executive director, upon request, copies of all records that the permittee is required to maintain as a condition of the permit.

Failure to comply with any permit condition is a violation of the permit and the statutes under which it was issued, and is grounds for enforcement action, revoking coverage under this general permit, or requiring the permittee to apply for and obtain an individual TPDES permit or alternative general permit.

2. Discharges Authorized by Another TPDES Permit

Discharges authorized by an individual TPDES permit or another general TPDES permit may only be authorized under this TPDES general permit if all of the following conditions are met:

(a) the discharges meet the applicability and eligibility requirements for coverage under this general permit;

(b) the individual or alternative general permit does not contain numeric water quality-based effluent limitations for the discharge (unless industrial activities that resulted in the limitations have ceased and any contamination that resulted in these limitations has been removed or remediated);

(c) specific BMP requirements of the current individual permit are continued as a provision of the SWP3;

(d) the executive director has not determined that continued coverage under an individual permit is required based on consideration of a TMDL model, anti-backsliding policy, history of substantive non-compliance or other considerations and requirements of 30 TAC Chapter 205, or other site-specific considerations; and

(e) a previous application or permit for the discharges was not denied, terminated, or revoked by the executive director as a result of enforcement or water quality related concerns. The executive director may provide a waiver to this provision based on new circumstances at the facility or if the operations of the facility are the responsibility of a new operator.

3. Stormwater Discharges from Construction Activity

Stormwater discharges associated with construction activities are not eligible for authorization under this general permit. Discharges of stormwater that are regulated under this permit and that combine with stormwater from construction activities are not eligible for coverage under this general permit unless the construction site runoff meets one of the following conditions:

(a) authorization is under a separate TPDES permit;

(b) authorization is under a separate NPDES permit; or

(c) TPDES or NPDES permit coverage is not required.

4. Stormwater Discharges from Salt Storage Piles

Stormwater that contacts salt storage piles (e.g., salt for deicing or other commercial or industrial purposes) may not be discharged to surface water in the state under authority of this general permit. Stormwater that contacts salt storage piles must be discharged under the authority of an individual TPDES permit or alternative general permit, or must be captured within a containment structure. Stormwater that contacts salt storage piles and is captured must either be disposed of in a manner that does not allow a discharge into or adjacent to water in the state, or in a manner otherwise approved by the executive director.

The permittee(s) shall prevent exposure of salt storage piles, or piles containing salt, used for deicing or other commercial or industrial purposes, including maintenance of paved surfaces. This material must be enclosed or covered. Appropriate BMPs (for example, good housekeeping, diversions, containment) must be implemented to minimize exposure resulting from adding to or removing materials from the pile(s).

5. Discharges of Stormwater Mixed with Non-Stormwater

Stormwater discharges associated with industrial activity that combine with sources of non-stormwater are not eligible for coverage by this general permit, unless either the non-stormwater source is described in Part II, Section A.6. of this permit or the non-stormwater source is authorized under a separate TPDES permit.

6. Compliance with Water Quality Standards

Discharges that would cause or contribute to a violation of water quality standards, or that would fail to protect and maintain existing designated uses of receiving waters are not eligible for coverage under this general permit. The executive director may require an application for an individual permit or alternative general permit to authorize discharges of stormwater from any industrial facility that is determined to cause a violation of water quality standards or is found to cause, or contribute to, the loss of a designated use of receiving waters.

7. Impaired Water Bodies and Total Maximum Daily Load (TMDL) Requirements

Discharges of the pollutant(s) of concern to impaired water bodies where there is a TMDL are not eligible for coverage under this permit, unless they are consistent with the approved TMDL. Permittees must incorporate the limitations, conditions, and requirements applicable to their discharges, including monitoring frequency and reporting required by TCEQ rules, into their SWP3 in order to be eligible for MSGP permit coverage.

A discharge into an impaired water body is one where the discharge is directly to a water body that is either identified on the latest EPA approved CWA Section 303(d) List, the Texas Integrated Report of Surface Water Quality for CWA Sections 305(b) and 303(d), or is covered by a TCEQ approved TMDL. For stormwater that first enters a storm sewer system prior to discharge, the determination is made by the identity of the first body of water the discharge enters upon exiting the storm sewer system.

(a) The permittee shall determine whether the permitted discharge is to an impaired water body listed in the most current TCEQ and EPA approved version of the Texas Integrated Report of Surface Water Quality for CWA Sections 305(b) and 303(d) List and in accordance with Section 303(d)(1) of the federal CWA. A water body is impaired

for purposes of this permit if it has been identified on either of these lists, as not meeting Texas Surface Water Quality Standards.

(b) The permittee shall determine whether the discharge from the site is into an impaired water body with an approved TMDL.

(c) New Discharges to Water Quality Impaired Water Bodies

For a new discharge to an impaired water body, the permittee shall either:

(1) Prevent exposure to stormwater of the pollutant(s) for which the water body is impaired (i.e., the pollutant(s) of concern), and retain on-site documentation of the preventive measures within the SWP3;

(2) Document that the pollutant(s) for which the water body is impaired is/are not present in the regulated industrial activity at the site, and retain documentation of this finding in the SWP3 (e.g., if the pollutant of concern is bacteria, but the only identifiable source of bacteria that is wildlife occurring on the property, then the bacteria levels could be considered "background" for the purposes of this permit requirement); or

(3) Obtain analytical data to support a showing that the discharge is not expected to cause or contribute to an exceedance of a water quality standard. The data and technical evaluation must demonstrate that the discharge of the pollutant of concern for which the water is impaired is below the level of concern (e.g. benchmark value). If the pollutant of concern is present above the level of concern, the permittee must follow the requirements in Part II, Section B.7.(c)(3)e. below. Data and supporting technical information must be retained with the SWP3. The permittee shall use the following method to demonstrate this finding, unless an alternate method is authorized by the TCEQ in writing:

a. The permittee shall collect one or more representative sample(s) of stormwater in accordance with Part III, Section D.2. of this general permit, and analyze the sample(s) for the pollutant of concern (e.g., hazardous metals, bacteria, nutrients, etc.).

For example, if the pollutant of concern is bacteria, the permittee shall sample for *E. coli* if discharging to fresh water, and enterococci if discharging to salt water. If the impairment is due to low dissolved oxygen (DO), the permittee shall monitor for BOD, COD, or both, based on the nature of the industrial activity, or in accordance with guidance provided by the TCEQ (e.g., information may be sent in writing directly to the permittee on request, or may be available on the TCEQ's TPDES stormwater web pages). If the impairment is due to nutrients, the permittee shall sample for total phosphorous if the discharge is to fresh water and for total nitrogen if the discharge is to salt water.

If the impairment is due to a parameter for which there is not a clear analytical testing protocol (e.g., sediment, fish tissue, etc.), the permittee shall contact the TCEQ for guidance on which pollutant(s), if any, to monitor for, and the TCEQ will respond in writing to the permittee. This documentation must be retained in the SWP3.

b. If the facility operator is not able to collect a sample because the facility is not yet in operation, then the operator may submit an application to obtain coverage prior to sampling. The permittee shall collect the representative sample(s) from the first available discharge after commencing operation.

c. The permittee shall compare the analytical results with the benchmark monitoring levels found in the facility's applicable sector located in Part IV of this general permit. Where a benchmark result is not available, the permittee shall compare the results to the water quality criteria in 30 TAC Chapter 307, or to the minimum analytical level (MAL). The pollutant is not considered to be present within the discharge when not detected above the MAL. The pollutant is considered below the level of concern when sampling results are below benchmark levels, the applicable water quality criteria, or natural background levels.

d. If the first year sampling results indicate that the discharge is below the level of concern or is not present in the discharge, then no additional sampling for the pollutant of concern is required.

e. If sampling results indicate that the pollutant of concern is present in the discharge at a level of concern, then the permittee shall perform the following activities:

(i) Monitor the discharge in accordance with Part III, Section B.4., "Water Quality Monitoring Requirements," and

(ii) Revise the SWP3 to address controls that the permittee will utilize to reduce the discharge of the pollutant of concern.

(4) A new discharge is not eligible for coverage under this permit for discharges to waters designated by the Texas Surface Water Quality Standards as Tier 3.

(d) Existing Discharges to Impaired Water Bodies with an approved TMDL.

An existing discharge to an impaired water body with an approved TMDL may only be authorized under this general permit if the permittee complies with additional controls required by the TCEQ in the TMDL, the TMDL Implementation Plan, or as otherwise directed by the executive director in writing to the permittee.

If the TMDL or TMDL Implementation Plan does not identify monitoring requirements for the permittee, then additional monitoring is not required under Part III.B.4(a) and the permittee may still obtain authorization under this general permit.

(e) Existing Discharge to Water Quality Impaired Water Bodies without an approved TMDL. If the permittee discharges to an impaired water body without an approved TMDL, the permittee shall either:

(1) Prevent exposure to stormwater of the pollutant(s) for which the water body is impaired (i.e., the pollutant(s) of concern), and retain on-site documentation of the preventive measures within the SWP3;

(2) Document that the pollutant(s) for which the water body is impaired is/are not present in the regulated industrial activity at the site, and retain documentation of this finding in the SWP3 (e.g., if the pollutant of concern is bacteria, but the only identifiable source of bacteria is wildlife occurring on the property, then the bacteria levels could be, for the purposes of this permit condition, considered "background" from a non-point source that is not regulated under this permit); or

(3) Obtain analytical data to support a showing that the discharge is not expected to cause or contribute to an exceedance of a water quality standard, using the steps in Paragraph II.B.7.(c)(3) above.

a. If the results indicate that the discharge is below the level of concern or is not present in the discharge, then no additional action is required.

b. If the results indicate that the pollutant of concern is present in the discharge at a level that may contribute to water quality impairment (e.g., a result that is above the benchmark level for a pollutant as described in the facility's applicable sector located in Part V of this general permit), then the permittee shall implement an interim pollutant reduction plan (PRP) for the pollutant of concern. This PRP must be included in the SWP3 and must discuss the management practices and control measures that the permittee will implement to reduce, with the goal of eliminating, the discharge of pollutant(s) of concern that contribute to the impairment of the water body. The PRP must specifically identify control measures and practices that will collectively be used to try to eliminate the discharge of pollutant(s) of concern that contribute to the impairment of the water body and explain why these control measures and practices were chosen as opposed to other alternatives.

(4) Beginning upon the date that the permittee is authorized for coverage under this permit, the permittee may not establish a new or increased discharge potentially containing a pollutant of concern to an impaired water body unless there is no exposure of the pollutant of concern to stormwater, the pollutant of concern is not present at the site nor in the discharge, or analytical data shows the pollutant of concern is not present at a level of concern as described in Part II, Sections B.7.(e)(1), (2), and (3) above. TCEQ may notify the permittee if additional control measures are necessary, or if an individual permit application is necessary.

8. Discharges to the Edwards Aquifer Recharge Zone

Discharges may not be authorized by this general permit where prohibited by 30 TAC Chapter 213 (relating to Edwards Aquifer).

(a) For new discharges located within the Edwards Aquifer Recharge Zone, or within that area upstream from the recharge zone and defined as the Contributing Zone, operators must meet all applicable requirements of, and operate according to, 30 TAC Chapter 213 (Edwards Aquifer Protection Rule), in addition to the provisions and requirements of this general permit.

(b) For existing discharges located within the Edwards Aquifer Recharge Zone, the requirements of the agency approved Water Pollution Abatement Plan under the Edwards Aquifer Rules are in addition to the requirements of this general permit. BMPs and maintenance schedules for structural stormwater controls, for example, may be required as a provision of the rule. All applicable requirements of the Edwards Aquifer Protection Rule for reductions of suspended solids in stormwater runoff are in addition to the effluent limitation requirements and benchmark goals in this general permit for this pollutant. A copy of the TCEQ approved Water Pollution Abatement Plan(s) that are required by the Edwards Aquifer Rule must be attached or referenced as a part of the SWP3.

(c) For discharges located within ten stream miles upstream of the Edwards Aquifer recharge zone, applicants shall also submit a copy of the NOI to the appropriate TCEQ regional office.

Counties: **Comal, Bexar, Medina, Uvalde, and Kinney**
Contact: TCEQ Water Program Manager
San Antonio Regional Office

14250 Judson Road
San Antonio, Texas 78233-4480
(210) 490-3096

Counties: **Williamson, Travis, and Hays**
Contact: TCEQ Water Program Manager
Austin Regional Office
12100 Park 35 Circle
Room 179, Building A
Austin, Texas 78753
(512) 339-2929

9. Discharges to Specific Watersheds and Water Quality Areas

Discharges of stormwater associated with industrial activity and other non-stormwater discharges may not be authorized by this general permit where prohibited by 30 TAC Chapter 311 (relating to Watershed Protection) for water quality areas and watersheds.

10. Endangered Species Act

Discharges that would adversely affect a listed endangered or threatened aquatic or aquatic-dependent species or its critical habitat are not authorized by this permit, unless the requirements of the federal Endangered Species Act are satisfied. Federal requirements related to endangered species apply to all TPDES permitted discharges and site-specific controls may be required to ensure that protection of endangered or threatened aquatic or aquatic dependent species is achieved. If a permittee has concerns over potential impacts to listed species, the permittee may contact TCEQ for additional information.

11. Protection of Streams and Watersheds by Home-Rule Municipalities

This general permit does not limit the authority of a home-rule municipality provided by the Texas Local Government Code §401.002.

12. Facilities with No Discharge to Surface Water in the State

A facility that does not discharge stormwater to an MS4 nor to surface water in the state may not be required to obtain coverage under this general permit if the operator demonstrates that no discharges have occurred nor will occur in the future. The operator may be required to demonstrate, using engineering calculations or similar methods, that the facility will not discharge stormwater associated with industrial activity.

Facilities that dispose of all stormwater associated with industrial activity by any of the following practices would not be required to obtain coverage for the stormwater under this general permit nor under an individual TPDES permit or alternative general permit:

(a) Recycling of the stormwater with no resulting discharge into surface water in the state.

(b) Pumping and hauling of the stormwater to an authorized disposal facility.

(c) Discharge of the stormwater to a publicly-owned treatment works (POTW); however, this permit does not grant authorization to discharge into a POTW and the permittee would need to obtain authorization from the POTW operator to discharge stormwater into the POTW.

(d) Underground injection of the stormwater in accordance with 30 TAC Chapter 331.

(e) Discharge to above ground storage tanks with no resulting discharge into surface water in the state.

(f) Containment of all stormwater within property boundaries, with no discharge into surface water in the state, including no discharge during, or as the result of, any storm event.

13. Automatic Authorization for Certain Industrial Activities

Operators of the following industrial activities are designated for coverage under this general permit, and are not required to prepare a SWP3, conduct analytical sampling, or submit an NOI for coverage nor an NEC form for a conditional exclusion based on no exposure. However, the facility operator must comply with all other requirements of Part III, Section E. of this general permit, related to Standard Permit Conditions; and must comply with Part II, Section C.1. of the permit related to maintaining "no exposure" of industrial activity to stormwater.

(a) Operators of facilities described in Part V, Section P, related to General Warehousing and Storage (SIC 4225), that do not have areas for vehicle maintenance or equipment cleaning activities, provided that the requirements of Part V, Section P.2.c. are met.

(b) Operators of facilities described under Part V, Section X, that conduct publishing or design without printing, provided that the requirements of Part V, Section X.2. are met.

(c) Operators of small businesses who conduct a regulated activity described in Part II, Section A, where the entire industrial activity is performed in a residential home, a shopping mall, or an office building, and all of the requirements listed below are met:

(1) The industrial activity does not include the following industrial activity codes: HZ, LF, SE, or TW;

(2) The industrial activity is conducted in an area inside the operator's primary residence home structure itself or inside another fully enclosed building, located within the property boundaries of the operator's primary residence (e.g., garage);

(3) The regulated industrial activity is not exposed to stormwater; and

(4) The facility operator complies with the requirements of Part III Section E. of this general permit, related to Standard Permit Conditions. However, the operator is not required to submit an NOI or an NEC form, conduct analytical monitoring for permit compliance, nor develop a SWP3.

The facility operator must apply for coverage if any of the requirements listed above are not met. If the TCEQ determines that additional controls are required other than those listed above, or if there is a concern regarding the discharge of elevated levels of pollutants, then the TCEQ may require a facility otherwise eligible for automatic authorization to obtain coverage and meet all permit conditions through submittal of an NOI or an individual permit application.

14. Transfer of Liability

This permit does not transfer liability for the act of discharging without, or in violation of, a NPDES or a TPDES permit from the operator of the discharge to the permittee(s).

15. Force Majeure

Nothing in Part II of the general permit is intended to negate any person's ability to assert the *force majeure* (act of God, war, strike, riot, or other catastrophe) defenses found in 30 TAC §70.7.

Section C. Obtaining Authorization to Discharge

1. Conditional No Exposure Exclusion from Permit Requirements

Facilities regulated under this general permit may be excluded from permit requirements if there is no exposure of industrial materials or activities from precipitation or runoff. To qualify for a no exposure exclusion from permit requirements, the operator of the facility must provide certification that industrial activities and materials are isolated from stormwater by storm resistant shelters. The certification must be submitted to the TCEQ on a no exposure certification (NEC) form provided by the executive director, or using a format approved by the executive director. The facility is subject to inspection by authorized TCEQ personnel and MS4s with enforcement authority over MSGP regulated facilities within their jurisdiction to determine compliance with the no exposure exclusion. Facilities that qualify for this exclusion and that contribute stormwater discharges to a municipal separate storm sewer system (MS4) shall provide copies of the certification to the operator of the MS4.

(a) The following materials and activities are not required to be isolated from stormwater and stormwater runoff in order to meet the no exposure exclusion:

(1) drums, barrels, tanks, and similar containers that are tightly sealed, provided those containers are not deteriorated and do not leak ("Sealed" means banded or otherwise secured and with-out operational taps or valves);

(2) final products that are designed for outdoor use (e.g., new cars, outdoor play-sets, lawn equipment) provided the final products have not deteriorated or are otherwise a potential source of contaminants;

(3) pallets used to store or transport final products intended for outdoor use, if the pallets are new or do not contain pollutants;

(4) vehicles used in material handling that are adequately maintained to prevent leaking fluids;

(5) lidded dumpsters containing waste materials, providing the containers are completely covered, nothing can drain out, and no material can be lost while loading the contents onto a garbage truck (excludes trash compactors unless located indoors or protected by a storm-resistant shelter);

(6) industrial refuse and trash that is stored large roll-off containers that are either located under a constructed cover or covered with heavy-duty tarps that are properly maintained and in good condition. The tarps must be securely fastened to the waste container in such a manner that the tarp has to be unfastened to add waste materials to the container and then refastened to the container;

(7) particulate emissions from roof stacks or vents, provided they comply with other applicable TCEQ rules and do not contaminate stormwater; and

(8) above ground storage tanks (ASTs) that are equipped with valves for dispensing materials that support facility operations (e.g., heating oil, propane, butane, chemical feedstocks) or that dispense fuel (e.g. gasoline, diesel, compressed natural gas) for delivery vehicles that support facility operations provided that:

a. the ASTs must be physically separated from and not associated with vehicle maintenance operations areas;

b. there are no leaks from pipes, pumps, or other equipment that could come into contact with stormwater; and

c. the ASTs are surrounded by secondary containment (e.g., impervious berm, dike, or concrete retaining structure) to prevent exposure to stormwater runoff in the event of structural failure or leaks.

ASTs that dispense fuel to vehicles that are used to support the regulated facility operations are considered exposed. However, ASTs that distribute fuel to airplanes at a regulated air transportation facility are considered exposed unless located under storm resistant shelter.

(b) The following types of final products do not qualify for a certification of no exposure:

(1) Products that could be mobilized by wind or rain into stormwater discharges (e.g., rock salt, wood chips or shavings, compost). Materials sheltered from precipitation may still be deemed exposed if the materials could be carried by wind;

(2) products that may, when exposed, oxidize, deteriorate, leak or otherwise be a potential source of contaminants (e.g., scrap cars, stockpiled train rails, scrap metal, metal products); or

(3) "final" products that are actually "intermediate" products used in the composition of yet another product (e.g., sheet metal, tubing and paint used in making tractors, unfinished portions of a final product, plastic pellets, glass to be installed in vehicles or buildings). Even if the intermediate product is "final" for a manufacturer and is intended to be included in a "final product intended for use outdoors," these products are still considered intermediate products and are considered to be exposed if located outdoors.

Deposits of particles or residuals from roof stacks or vents not otherwise regulated that could be carried by stormwater runoff and are considered exposed. Exposure also occurs when, as a result of particulate emissions, pollutants are visibly being "tracked out" or carried on the tires of vehicles.

(c) Limitations on eligibility for the no-exposure exclusion:

(1) The exclusion from permit requirements is only available facility-wide, and is not available for individual outfalls. Generally, if any exposed industrial materials or activities are found on any portion of a facility, the facility is not eligible for the no-exposure exclusion.

(2) If a facility with a conditional no-exposure exclusion undergoes any change(s) that result in industrial activities or materials becoming exposed, or if it is found that a facility does not (or no longer) meets the no exposure requirements, then the NEC exclusion that the facility is under ceases to apply. If this occurs, the operator of the facility covered (under an NEC) shall prepare a SWP3 and submit an NOI to apply for coverage under the MSGP or shall apply for an individual water quality permit (as applicable) to discharge stormwater from the facility before making any changes that will expose industrial activities or materials. Discharges that occur after losing the conditional no exposure exclusion are not authorized, unless permit coverage is re-established by filing an NOI for this permit or via an individual permit. The operator is required to submit a Notice of Termination (NOT) to terminate their NEC coverage.

(3) If the TCEQ determines that a facility's stormwater discharges have a reasonable potential to cause or contribute to a violation of applicable water quality standards, then the TCEQ may deny the no exposure exclusion. However, where an MS4 operator has MSGP enforcement authority, it may inspect facilities within its jurisdiction for compliance with the no exposure certification (NEC).

2. Application for Coverage

Applicants seeking authorization to discharge under this general permit shall submit a completed notice of intent (NOI) or a completed no exposure certification (NEC), as applicable, on a form approved by the executive director. Applications are not required for facilities that are automatically authorized by designation under this general permit.

(a) Notices of Intent (NOIs) and No Exposure Certifications (NECs).

(1) Paper NOIs and NECs. Provisional authorization begins seven (7) days from the date that a completed NOI or NEC is postmarked for delivery to the TCEQ, unless otherwise notified in writing by the executive director.

(2) Electronic NOIs and NECs. If electronic submission of NOIs or NECs is provided, and unless otherwise notified by the executive director, provisional authorization begins immediately following confirmation of receipt of the electronic NOI or NEC form by the TCEQ.

(3) Following review of the NOI or NEC, the executive director will:

a. determine that the NOI or NEC is complete and confirm coverage by providing a written notification and an authorization number; or

b. determine that the NOI or NEC is incomplete and request additional information needed to complete the NOI or NEC; or

c. deny coverage in writing. Denial of coverage will be made in accordance with TCEQ rules at 30 TAC § 205.4, related to Authorizations and Notices of Intent.

(b) Automatic Authorization. Facilities that meet the eligibility requirements for automatic authorization in Part II, Section B.13 are automatically authorized and are not required to submit an NOI for coverage or an NEC for conditional exclusion, provided that all of the technical requirements are met. Permit coverage for existing facilities automatically authorized under Part II, Section B.13 of this general permit begins immediately upon the effective date of this general permit; and permit coverage for new facilities begins upon the commencement of industrial activities regulated under this general permit.

3. Application Deadlines

(a) Existing Industrial Facilities.

(1) Permittees who were authorized under the previous TPDES MSGP permit for discharges associated with industrial activity (TXR050000, issued August 14, 2011) shall continue to operate under the provisions of that permit until authorization is obtained under this general permit, and may continue to do so for up to 90 days after the effective date of this general permit.

On or before the ninetieth (90th) day following the effective date of this general permit, existing permittees shall submit an application (NOI or NEC) for coverage under this general permit, or shall comply with the automatic authorization option (in accordance with Part II, Section B.13. of this general permit). The executive director may grant a written request for extension for good cause if such written

request is received no later than 15 days before the application deadline (75 days following the permit effective date).

(2) Facilities that were required to obtain permit coverage under the previous TPDES MSGP (issued August 14, 2011) are considered to be existing facilities, regardless of whether an NOI or NEC was previously submitted under that general permit. The deadline for existing facilities that did not obtain coverage under the previous TPDES MSGP permit is immediately upon the effective date of this general permit. However, this permit does not prohibit a facility from submitting an NOI or NEC after the effective date of the general permit.

(3) Permit coverage for facilities that do not renew permit coverage will expire 90 days following the effective date of this general permit. However, facilities that do not submit a notice of termination on or before September 1, 2016, will be considered active facilities on that date and will be assessed an annual fee for Fiscal Year 2017, as described in Part II, Section C.10.(b) below.

(b) New Industrial Facilities.

An NOI or NEC must be submitted prior to commencement of industrial activity that is regulated under this general permit, or the facility operator must comply with the automatic authorization requirements listed in Part II, Section B.13. of this general permit.

(c) New Operator.

Permit coverage may not be transferred. When the operator of a facility changes, the new operator must submit an NOI or NEC, and the previous operator must submit an NOT, at least ten days before the change in operator occurs, or in accordance with 30 TAC §205.4(h), related to Authorizations and Notices of Intent. Also see Part II, Section C.7, related to Terminating Coverage.

When the operational control of a portion of a facility changes, the new operator shall submit an NOI or an NEC, and the existing operator shall revise its SWP3 and submit an NOC as needed.

4. Stormwater Pollution Prevention Plan (SWP3)

A permittee authorized under this general permit must develop and implement a stormwater pollution prevention plan (SWP3, or plan) according to the requirements of this permit before submitting an NOI for permit coverage. The plan must be developed according to the requirements of Part III of this general permit and must also include all sector specific requirements of Part V. The SWP3 must be signed and certified according to TCEQ rules at 30 TAC §305.128, as described in Part III, Section E.6.(c) of this general permit.

5. Contents of the Notice of Intent (NOI)

The NOI must contain the following information, at a minimum:

(a) Operator Information.

(1) the name, address, and telephone number of the operator filing the NOI for permit coverage; and

(2) the legal status of the operator (e.g., federal, state, private or public entity).

(b) Site Information.

(1) the name, address, county, and latitude and longitude of the site;

(2) a determination of whether the site is located on Indian Land;

(3) the name of the receiving water(s);

(4) the name of the MS4 operator(s), if the discharge is to an MS4;

(5) a certification statement that a SWP3 has been developed and implemented according to the provisions of this permit;

(6) the primary SIC code that best describes the industrial activity of the facility and any other SIC codes or Industrial Activity Codes that describe additional activities and that are listed in Part V of this permit; and

(7) the industrial sector(s) of this general permit for which the applicant requests coverage.

(c) Existing TPDES authorization number, for facilities previously regulated under the TPDES MSGP.

6. Changes to Information Submitted

(a) If the operator becomes aware that any of the following occurred, then correct information must be provided to the executive director in a notice of change (NOC) within 14 days after discovery:

(1) Relevant information provided on the NOI or NEC has changed;

(2) The operator failed to submit relevant facts; or

(3) The operator submitted incorrect information on an NOI or NEC.

(b) The NOC must be submitted on a form provided by the executive director, or by letter if an NOC form is not available. A copy of the NOC must also be provided to the operator of any MS4 receiving the discharge (if required by the MS4), and the SWP3 must include a list of the names and addresses of the MS4 operator(s) receiving a copy.

(c) Examples of information that may be submitted on an NOC include the following:

(1) Change to applicant contact or billing information.

(2) Changes to the General Characteristics section, such as adding, removing, or changing an SIC code or industrial activity code, or changing the discharge information.

(3) Operator name change, provided that only the name has changed and that no transfer of ownership has occurred (see Part II, Section C.7.(a) below).

(d) Information that may not be submitted on an NOC includes, but is not limited to, the following:

(1) Transfer of operational control from one operator to another, including a transfer of the ownership of a company. A transfer of ownership of a company includes changes to the structure of a company, such as changing from a partnership to a corporation or changing corporation types, so that the filing or charter number that is on record with the Texas Secretary of State must be changed. See Part II, Section C.7.(a) below, related to Transfer of Operational Control.

(2) Change in the physical location of the facility. Authorizations may not be transferred to a different location; therefore, if a facility moves, the operator will need to submit an NOI for the new location and an NOT for the previous location.

(e) Additional changes that may be made to the operator's SWP3 and that are not required to be submitted on an NOC include, but may not be limited to, the following:

(1) Addition, removal, or change in the location of an outfall.

(2) Change to other information on the site map that was not originally provided on the NOI (e.g., location of processing areas, loading areas, or best management practices).

7. Terminating Coverage

(a) Submitting Notice of Termination (NOT).

(1) A permittee must submit a NOT to the TCEQ to cancel coverage or to cancel a conditional exclusion based on no exposure. An NOT must be submitted in the following situations:

a. An existing facility covered under an NOI changes operations such that a condition of no exposure is obtained.

b. An existing facility with a conditional exclusion based on having no exposure of industrial activities changes operations such that a condition of no exposure no longer exists. The permittee must submit an NOI before a condition of exposure occurs, then must submit an NOT to terminate the existing exclusion.

c. A facility that was covered under an NOI or an NEC is no longer doing business in the original location, and no industrial activities (e.g., manufacturing, processing, material storage, waste material disposal areas and similar areas) remain or continue to be conducted at the site that would require permit coverage. An NOT must be submitted within 10 days after the facility ceases discharging stormwater associated with industrial activity.

d. An operator that submitted an NOI or NEC obtains coverage under an individual permit or obtains coverage under an alternative general permit for stormwater discharges. An NOT must be submitted within 10 days after the operator obtains coverage under the alternative permit.

e. A transfer of operational control occurs. The original operator who submitted the NOI or NEC must submit an NOT to cancel coverage or to cancel a conditional exclusion based on no exposure.

Coverage under this general permit is not transferable. A transfer of operational control includes changes to the structure of a company, such as changing from a partnership to a corporation, or changing to a different corporation type such that a different filing (or charter) number is established with the Texas Secretary of State. When the operator of a regulated industrial facility changes or operational control is transferred, the original operator must submit an NOT within 10 days prior to the date that responsibility for operations terminates, and the new operator must submit an NOI at least 10 days prior to the transfer of operational control.

(2) Operators of regulated industrial activities who are designated as being automatically authorized by this general permit, and who are not required to submit an NOI or NEC, are not required to submit an NOT to terminate coverage.

(b) NOT Form.

The NOT must be submitted on a form approved by the executive director, and a copy of the NOT must be provided to the operator of any MS4 receiving the discharge (if required by the MS4).

(c) Effective Date of Termination of Coverage.

Authorization to discharge terminates on the day that an NOT is postmarked for delivery to the TCEQ. For electronic submission of NOTs, authorization to discharge terminates immediately following confirmation of receipt of the electronic NOT form by the TCEQ.

8. Signatory Requirements

NOI, NOT, NOC, and NEC forms must be signed according to 30 TAC §305.44 (relating to Signatories for Applications). Signatory authority may not be delegated to a person who does not meet the requirements listed in the referenced rule.

9. Additional Notification

Industrial facilities that contribute stormwater discharges to an MS4 must provide a copy of the completed NOI or NEC to the operator of the system. These facilities must also provide a copy of all NOCs and NOTs to the operator of the MS4.

10. Fees

(a) Application Fees:

An application fee of $200.00 must be submitted with each paper NOI and each paper NEC. If the TCEQ provides for electronic submittal of NOIs and NECs, the application fee for submittal of an electronic NOI or NEC is $100.00.

A fee is not required for submission of an NOT or NOC.

(b) Annual Fees:

A facility authorized under this general permit and required to submit an NOI must pay an annual water quality fee of $200.00 under Texas Water Code, §26.0291, and according to 30 TAC Chapter 205 (relating to General Permits for Waste Discharges).

An annual fee is not required for a facility that obtained a no-exposure exclusion by submitting an NEC form, nor for a facility that is automatically authorized under the general permit without submitting an NOI or NEC form.

11. Permit Expiration

This general permit is issued for an effective term not to exceed five (5) years. Following public notice and comment, as provided by 30 TAC §205.3 (relating to Public Notice, Public Meetings, and Public Comment), the Commission may amend, revoke, cancel, or renew this general permit. If the TCEQ fails to publish public notice of its intent to renew or amend this general permit within 90 days of its expiration date, then dischargers under this general permit must submit an application for an individual permit prior to expiration of this general permit. If TCEQ publishes notice of its intent to renew or amend this general

permit 90 days or more prior to expiration, existing authorizations under this general permit will remain in effect until the Commission takes final action on the permit. The renewed or amended general permit will prescribe how to obtain authorization for all dischargers regulated by the general permit, including a deadline for submitting an NOI, if required.

Section D. Alternative Coverage Under an Individual TPDES Permit

1. Individual Permit Alternative

Any discharge eligible for coverage under this general permit may alternatively be authorized under an individual TPDES permit according to 30 TAC Chapter 305 (relating to Consolidated Permits). An operator of a facility described under Part II, Section A.1. of this general permit who chooses to be excluded from coverage under this general permit shall submit an application for coverage under an individual permit. Applications for individual permit coverage for new facilities should be submitted at least 330 days prior to the commencement of a regulated industrial activity to ensure timely permit coverage. Coverage under this general permit should not be terminated for existing facilities until the permittee receives an issued individual permit.

2. General Permit Alternative

Any discharge eligible for authorization under this general permit may alternatively be authorized under a separate general permit according to 30 TAC Chapter 205 (relating to General Permits for Waste Discharges), if applicable.

3. Individual Permit Required

The executive director may require an operator of a regulated industrial activity otherwise eligible for authorization under this general permit to apply for an individual TPDES permit in the following circumstances:

(a) the conditions of an approved TMDL limitation or TMDL Implementation Plan on the receiving stream(s);

(b) the discharge being determined to cause a violation of water quality standards or being found to cause, or contribute to, the loss of a designated use of surface water in the state; and

(c) any other consideration defined in 30 TAC Chapter 205 including 30 TAC §205.4(c)(3)(D), which allows the commission to deny authorization under the general permit and require an individual permit if a discharger has been determined by the executive director to have been out of compliance with any rule, order, or permit of the commission, including non-payment of fees assessed by the executive director.

(d) for a discharger classified as an “unsatisfactory performer” under 30 TAC Chapter 60. 30 TAC §60.3 requires the executive director to deny or suspend a person's authority relating to that site to discharge under this general permit. A discharger with an “unsatisfactory” compliance history classification is entitled to a hearing before the Commission prior to having its authorization denied or suspended in accordance with TWC § 26.040(h).

Denial of authorization to discharge under this general permit or suspension of a permittee’s authorization under this general permit must be done according to commission rules in 30 TAC, Chapter 205, General Permits for Waste Discharges.

Part III. PERMIT REQUIREMENTS AND CONDITIONS COMMON TO ALL COVERED INDUSTRIAL ACTIVITIES

Section A. General Stormwater Pollution Prevention Plan (SWP3) Requirements

1. Implementation of SWP3 and Consistency with Other Plans

(a) An applicant seeking authorization under this general permit must develop and implement a SWP3 before submitting an NOI for coverage.

The SWP3 must be signed and certified in accordance with Part III, Section E.6.(c) of this general permit, and must be maintained onsite and made readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction.

The SWP3 must be modified whenever necessary to address changing conditions at the site.

Permittees who discharge stormwater to a municipal separate storm sewer system (MS4) shall also provide a copy of the SWP3 to the operator of that MS4 upon receiving a request from the MS4 operator.

The SWP3 must be developed according to the requirements of this general permit. At a minimum, the SWP3 must:

(1) identify actual and potential sources of pollution that may reasonably be expected to affect the quality of stormwater discharges from the facility (see Part III, Section A.3.);

(2) establish practices and any necessary control measures that will prevent or effectively reduce pollution in stormwater discharges from the facility and that ensure compliance with the terms and conditions of this general permit (see Part III, Section A.4.);

(3) describe how the selected practices and controls are appropriate for the facility and how each will effectively prevent or reduce pollution (see Part III, Section A.4.);

(4) describe how controls and practices interrelate to comprise an integrated, facility-wide approach for stormwater pollution prevention, including any useful references to literature or site-specific performance information on the selected controls and practices to demonstrate the appropriateness of each (see Part III, Section A.4.);

(5) establish a Stormwater Pollution Prevention Team (team) and identify team members who will be responsible for developing and revising the SWP3 (see Part III, Section A.2);

(6) provide a description of the facility that includes information about activities, materials, and physical features of the facility that may contribute pollutants to stormwater and any pollutant discharges that could occur during dry weather (see Part III, Section A.3.); and

(7) document the monitoring and inspection procedures and schedules that will be implemented at the site (see Part III, Section B).

(b) Existing plans and measures that are developed based on other regulatory requirements, such as Spill Prevention Control Countermeasures (SPCC) plans that are required for certain operations under the federal guidelines of 40 CFR Part 112, may

satisfy in whole or in part specific requirements of this general permit. These plans or measures may either be attached as a component of the SWP3, or referenced in the SWP3 and made readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction.

2. Stormwater Pollution Prevention Team

The permittee shall establish a stormwater pollution prevention team (team). The SWP3 must be kept readily available to the members of the team.

(a) Members of the Team. The SWP3 must identify the members of the team by name and by title, and must list and clearly identify the responsibilities of each team member. The team may consist of a single individual or a group of individuals as appropriate for the facility. Additional members of the team may include environmental professionals that are under contract to the permittee. If the facility is not staffed on a continuous or permanent basis, then company employee(s) from outside of the facility may be identified as a part of the team.

If it is not feasible to provide the name of each team member, then the SWP3 may identify a position or positions within the organization that comprise the team. Members of the organization or the ranking employees or executive officers at the facility must be able to identify the particular individual(s) comprising the team.

(b) Responsibility of the Team. The team is responsible for development of the SWP3 and for assisting the operator or the operator's designee in the implementation, maintenance, and revision of the SWP3.

3. Description of Potential Pollutants and Sources

The SWP3 must identify and describe all activities and significant materials that may potentially be pollutant sources. The SWP3 must include, at a minimum:

(a) Inventory of Exposed Materials. An inventory must be developed that lists materials currently handled at the facility that may be exposed to precipitation or runoff in a drainage area of an outfall covered under this permit. The list must include all materials that are handled, stored, processed, treated, or disposed of in a manner that would allow exposure to precipitation or runoff. Materials stored in drums, barrels, tanks, and similar containers that are tightly sealed, in good structural condition, and do not have leaking valves are not required to be listed in the inventory.

The inventory of materials must include specific pollutants that maybe attributed to those materials. For facilities subject to reporting requirement under EPCRA §313, the SWP3 must list all potential pollutant sources for which they have reporting requirements under EPCRA §313.

The inventory must be updated within 30 days following a significant change in the types of materials that are exposed to precipitation or runoff, or significant changes in material management practices that may affect the exposure of materials to precipitation or runoff. A significant change in the types of materials is exposure of a material, not already included in the inventory that could be transported by precipitation or stormwater runoff and subsequently discharged. A significant change in material management practices is a change that would result in either initial exposure of a material not already listed in the inventory or increased exposure of a material to the extent that the material could be transported by precipitation or stormwater runoff and subsequently discharged.

(b) Narrative Description. The SWP3 must include a narrative description that describes all activities and potential sources of pollutants that may reasonably be expected to add pollutants to stormwater discharges, or that may result in dry weather discharges from the storm sewer system. This description must include locations and sources of runon to the site from adjacent property, and an indication if significant quantities of pollutants are present in the runon.

Examples include the following activities and potential sources when they are exposed to stormwater:

(1) loading, unloading, and material transfer areas;

(2) outdoor storage areas;

(3) outdoor processing areas;

(4) dust producing activities;

(5) on-site waste disposal areas;

(6) vehicle/equipment maintenance, cleaning, and fueling areas;

(7) liquid storage tank areas;

(8) railroad sidings, tracks, and rail cars;

(9) storage piles containing salt used for deicing or other commercial or industrial purposes;

(10) locations where potential spills and leaks could occur that could contribute pollutants to stormwater discharges; and

(11) locations where all significant spills and leaks (for example, reportable quantity spills and spills or leaks that have the potential to cause impacts on water quality) of oil or toxic or hazardous pollutants occurred at exposed areas that drained to a stormwater conveyance in the three (3) years prior to the date the SWP3 was prepared or amended.

For each pollutant or material listed in the Inventory of Exposed Materials, the direction of flow or potential flow to the final permitted outfalls must be identified in the SWP3. The outfall and direction of flow must either be narratively described or identified by referencing the location on the site map. Areas of the facility that have a high potential for significant soil erosion, due to topography, activities, or other factors, must also be identified and either narratively described or identified by referencing the location on the site map.

The narrative description must be updated within 30 days following a change in the types or quantities of materials exposed to precipitation or runoff that, in the judgment of the stormwater pollution prevention team, may reasonably be expected to add pollutants to stormwater discharges. The narrative description must be updated to describe changes in material management practices or other factors that may affect the exposure of materials to precipitation or runoff.

(c) General Location Map. The SWP3 must contain a general location map (e.g., USGS quadrangle map) with enough detail to identify the location of the facility, including all surface waters that could potentially receive the stormwater discharges from the site.

(d) Drainage Area Site Map. A site map(s) must be developed that depict(s) the following:

(1) the location of each outfall covered by the permit and the location of each sampling point (if different from the outfall location);

(2) an outline of the facility's drainage area that shows the direction of the stormwater flow, and the location of all stormwater conveyances (e.g., ditches, gutters, pipes, swales) that drain to each permitted outfall;

(3) connections or discharges to MS4(s);

(4) locations of all structures (e.g. buildings, garages, storage tanks, fueling stations, machinery) and impervious surfaces (e.g., parking lots, paved or concrete pads);

(5) structural control devices designed to reduce pollution in stormwater runoff;

(6) process wastewater treatment units (including ponds);

(7) bag house and other air treatment units exposed to stormwater;

(8) the surface area of the facility (i.e., size in acres or square feet), or a clear scale such that the approximate surface area may be calculated;

(9) locations of all receiving waters, including wetlands, and information as to whether they are impaired or have established TMDLs;

(10) vehicle and equipment maintenance areas;

(11) physical features of the site that may influence stormwater runoff or contribute a dry weather flow;

(12) locations and descriptions of all non-stormwater discharges;

(13) locations where reportable quantity spills or leaks have occurred during the three (3) years before the NOI is submitted to obtain coverage under this general permit;

(14) locations and sources of runon to the site from adjacent property that contains significant quantifies of pollutants;

(15) processing, storage, and material loading/unloading areas; and

(16) any additional locations where significant materials are exposed to precipitation or runoff.

The site map must clearly show the flow of stormwater runoff from each of these locations so that the final outfall(s) where the discharge leaves the facility's boundary is apparent. A series of maps must be developed if the amount of information would cause a single map to be difficult to read and interpret.

(e) Spills and Leaks. The SWP3 must contain a list of reportable quantity spills that occurred in areas exposed to stormwater, or that occurred within the drainage area that contributes to an outfall, during the three (3) years before the NOI was submitted. The list must be updated on a quarterly basis and must include all additional spills and leaks (in addition to the previously listed spills of "reportable quantity" only). The updated list may be limited to spills and leaks that have occurred within the previous five (5) years.

(f) Sampling Data. All data from the laboratory analyses of stormwater discharge samples must be summarized. The summary must be updated on an annual basis to include the results of all additional analyses. The data summary must either be included as an attachment to the SWP3 or may be referenced and maintained separately. The data summary must be readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction.

4. Pollution Prevention Measures and Controls

The permittee shall implement all pollution prevention practices that are determined to be necessary, reasonable, and effective by the stormwater pollution prevention team, or that are required by a state or local authority, that are necessary to protect the water quality in receiving waters, or that are necessary to remain compliant with this general permit. The SWP3 must include detailed descriptions of the following minimum components and a schedule for implementation:

(a) Best Management Practices (BMPs). A section within the SWP3 must be developed to establish BMPs to reduce the discharge and potential discharge of pollutants in stormwater and to minimize exposure of areas of the site with industrial activity to stormwater. The location and type of BMPs or control measures that have been adopted or installed must be documented in the SWP3. Development of BMPs must be based on the activities and potentials for contamination that are identified in Part III, Section A.4. of this permit.

Examples of BMPs that the permittee may use to comply with this section include the following:

(1) use grading, berming, or curbing when possible to prevent runoff of contaminated flows and to divert runon away from these areas;

(2) locate materials, equipment, and activities in such a way that leaks are contained in existing containment and diversion systems;

(3) clean up spills and leaks promptly using dry methods (e.g., absorbents) to prevent the discharge of pollutants;

(4) use drip pans and absorbents under or around leaky vehicles and equipment or store indoors where feasible;

(5) use spill/overflow protection equipment;

(6) drain fluids from equipment and vehicles prior to on-site storage or disposal;

(7) perform cleaning operations indoors, within storm resistant shelters, or within bermed areas that prevent runoff and runon and that also that capture overspray;

(8) ensure that waste, garbage, and floatable debris are not discharged to receiving waters, by keeping exposed areas free of such materials or by intercepting them before they are discharged;

(9) minimize generation of dust and off-site tracking of raw materials, intermediate products, final products, or waste materials; and

(10) divert, infiltrate, reuse, contain, or otherwise reduce stormwater runoff, in order to minimize pollutants in discharges.

(b) Good Housekeeping Measures. A section within the SWP3 must be developed to ensure that areas of the facility that contribute or potentially contribute pollutants to stormwater discharges (e.g., areas around trash dumpsters, storage areas, loading docks, and outdoor processing areas) are maintained in a clean and orderly manner. Good housekeeping measures must include measures to eliminate or reduce exposure of garbage and refuse materials to precipitation or runoff prior to their disposal. Typical good housekeeping measures include activities that are performed on a daily basis by employees during the course of normal work activities. The good housekeeping measures must be incorporated as a part of the employee training program.

(c) Erosion and Sedimentation Control Measures. A section within the SWP3 must be developed to address soil erosion and sedimentation. The permittee shall evaluate and use appropriate measures and controls to reduce soil erosion and sedimentation in areas of the facility with demonstrated or potential soil erosion and sedimentation.

Potential use of the following controls must be evaluated, at a minimum: soil stabilization through vegetative cover; contouring slopes; paving; and installation of structural controls.

(d) Structural Controls

(1) Physical structures may be used in conjunction with other pollution prevention measures and controls, as necessary, to reduce pollutants in stormwater discharges. Examples of structural controls that may be used include vegetated swales, oil/water separators, settling ponds, catch basins, berms, and other physical structures.

(2) Velocity Dissipation Devices. Discharge velocities must be controlled to the extent necessary to prevent the destruction of the natural physical characteristics of receiving waters by erosion. Velocity dissipation devices may be constructed at discharge points or along channels and other stormwater collection areas that lead to outfalls. Management alternatives to minimize runoff, such as limiting impervious cover, may also be considered.

(3) A section within the SWP3 must be developed to establish a maintenance program for stormwater structural controls. These controls must be inspected on a regular basis and maintenance frequencies must be established for each of the controls at intervals that ensure effective operation. Mechanical equipment that is part of a structural control, such as a stormwater pump, must also be inspected at intervals described in the SWP3 and maintained at intervals necessary to prevent failures that could result in a discharge of pollutants.

This section of the SWP3 must identify qualified personnel to conduct inspections and establish inspection and maintenance schedules. Records must document the estimated volumes of solids removed from catch basins, sediment ponds, and other similar control structures.

(e) Spill Prevention and Response Measures. A section within the SWP3 must be developed and implemented to prevent spills and to provide for adequate spill response. This section must:

(1) identify areas where spills could contribute pollutants to stormwater discharges;

(2) develop and implement procedures to minimize or prevent contamination of stormwater from spills;

(3) require drums, tanks, and other containers to be clearly labeled;

(4) clearly mark hazardous waste containers that require special handling, storage, use, and disposal;

(5) develop and implement specific spill prevention, detection, and clean up procedures and techniques;

(6) develop procedures to notify appropriate facility personnel, emergency response agencies, public health, or drinking water supply agencies and other regulatory agencies of a reportable quantity spill or other release of oil or a hazardous substance;

(7) make available to facility personnel materials and equipment necessary for spill clean-up;

(8) develop and maintain an inventory of spill cleanup materials and equipment; and

(9) incorporate these measures as a part of the employee training program.

(f) Employee Training Program and Employee Education.

(1) Training. A section within the SWP3 must be developed to establish a training program. Training must be provided to all employees who are responsible for implementing or maintaining activities identified in the SWP3. Employee training must include the following, at a minimum:

a. proper material management and handling practices for specific chemicals, fluids, and other materials used or commonly encountered at the facility;

b. spill prevention methods;

c. the location of materials and equipment necessary for spill clean-up;

d. spill clean-up techniques;

e. proper spill reporting procedures; and

f. familiarization with good housekeeping measures, BMPs, and goals of the SWP3.

The schedule for employee training sessions must be developed based on pollutant potential, employee turnover rate, and other factors the permittee determines are applicable. Training must be conducted at least once per year and records of training activities must be maintained in the SWP3.

(2) Education. Education must be provided to those employees at the facility who are not directly responsible for implementing or maintaining activities identified in the SWP3, and who do not participate in the employee training program. At a minimum, these employees must be informed of the basic goal of the SWP3 and how to contact the stormwater pollution prevention team regarding stormwater issues.

5. Additional Documentation Requirements

(a) The following records must be kept with the SWP3, in addition to any records required elsewhere in this permit:

(1) A copy of the NOI submitted to TCEQ along with any correspondence exchanged between the permittee and TCEQ related to coverage under this permit;

(2) A copy of the acknowledgment letter from the TCEQ;

(3) If signatory authority is delegated by an authorized representative, then a copy of the formal notification to TCEQ (letter, email, Delegation of Signatories form) shall be filed in the SWP3 and made available for review upon request by TCEQ or local MS4 Operator.

(4) A copy of this permit (either paper or electronic version), either as part of the SWP3 or as an attachment to the SWP3 (sections in Part V of this general permit that are not related to the industrial activities at the site need not be included);

(5) Descriptions and dates of any incidences of significant spills, leaks, or other releases that resulted in the discharge of pollutants to surface waters;

a. the circumstances leading to the release and actions taken in response to the release; and

b. measures taken to prevent the recurrence of such releases;

(6) Records of employee training, including date(s) training received;

(7) Documentation of maintenance and repairs of control measures, including the date(s) of regular maintenance, date(s) of discovery of areas in need of repair/replacement, and for repairs, date(s) that the control measure(s) returned to full function, and the justification for any extended maintenance/repair schedules;

(8) Copies of inspection reports;

(9) Description of any corrective action taken at the site, including triggering event and dates when problems were discovered and modifications occurred;

(10) Documentation to support a claim that the facility has changed its status from active to inactive and unstaffed with respect to the requirements to conduct routine facility inspections, quarterly visual assessments, or benchmark monitoring; and

(11) Results of monitoring and inspection activities as described in Part III, Section B.

(b) Records - Records for each element described above in Part III, Section A.4., related to Pollution Prevention Measures and Controls, must either be included as an attachment to the SWP3 and retained on-site or made readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction. Records must document and describe maintenance activities, inspections, spills, discharge quality, employee training activities, employee education activities, SWP3 updates or modifications, and other events relative to each element.

6. SWP3 Review

The SWP3 must be maintained either at the site or be readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction. The SWP3 must be modified by the permittee as often as necessary. Each revision must be dated and all revisions must be retained according to Part III, Section D.5. The executive director may determine, following a review or site inspection, that the SWP3 is not sufficient and may require that the SWP3 be revised to correct all deficiencies;

Section B. Periodic Inspections and Monitoring

1. Inspection and Certification of Non-Stormwater Discharges

(a) Permit Coverage for Non-Stormwater Discharges. Non-stormwater discharges eligible for coverage are described in Part II, Section A.6. of this general permit and in the individual sections within Part V of this general permit. The permittee shall identify and evaluate all non-stormwater discharges that qualify for permit coverage. The SWP3 must include a list of the non-stormwater discharges at the facility, as well as the results of this evaluation.

(b) Investigation for Non-Stormwater Discharges. Within 180 days of filing an NOI for coverage (or a renewal NOI) the permittee shall conduct a survey of potential non-stormwater sources and shall provide the certification required in Part III, Section B.1.(c) below. The facility's storm sewer system must be tested or inspected (e.g.,

screened for dry weather flows) for the presence of non-stormwater flows. Procedures must be evaluated and implemented to eliminate any potential sources that are discovered and are not permitted. The SWP3 must ensure that non-stormwater sources are not combined with stormwater discharges authorized by this permit unless otherwise allowable under Part II.B.5. of this general permit.

The SWP3 must be updated based on this evaluation to include the following:

(1) the date that the evaluation occurred and description of the criteria used for evaluation;

(2) the outfalls or onsite discharge points observed;

(3) the different types of identified non-stormwater discharges and their source locations; and

(4) appropriate BMPs for the non-stormwater discharges, or the actions taken or the control measures used to eliminate them.

(c) Inspection, Documentation, and Certification of Non-Stormwater Discharges. The SWP3 must include a certification, signed according to Part III, Section E.6.(c) of this general permit, relating to Signatory Requirements for Reports and Certifications, that states that the facility's storm sewer system has been evaluated for the presence of non-stormwater discharges and that the discharge of non-permitted, non-stormwater does not occur. The certification must include documentation of how the evaluation was conducted, results of any testing, dates of evaluations or tests, and the portions of the storm sewer system that were observed during the inspection. The inspection for non-stormwater discharges must be completed and the certification must be prepared within 180 days after filing an NOI for permit coverage. The certification must be made readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction.

(d) Failure or Inability to Certify.

(1) If a part of the storm sewer system cannot be accessed to complete the evaluation, certification must be provided for the remainder of the system. Notice of this inability to certify a portion of the storm sewer system must be provided to the TCEQ within 180 days after the NOI is submitted. Operators of facilities that contribute stormwater discharges to an MS4 shall provide notice of this inability to certify a portion of the storm sewer system to the MS4 operator upon request from the MS4 operator. The notice must include an explanation of why the evaluation could not be performed and a list of all known potential, non-permitted, non-stormwater sources that could not be included in the certification. The notification must be submitted to the TCEQ's Enforcement Division (MC-224).

(2) If, in the course of evaluating the storm sewer system, the permittee is unable to certify that non-permitted, non-stormwater discharges are not occurring due to noncompliance, then the certification must identify the noncompliance issues and the steps being taken to remedy and prevent further noncompliance.

2. Routine Facility Inspections

Qualified personnel, who are familiar with the industrial activities performed at the facility, shall conduct periodic routine facility inspections to determine the effectiveness of the Pollution Prevention Measures and Controls (Part III, Section A.4.). These inspections must include at least one member of the stormwater pollution prevention team.

(a) Inspections must be conducted at least once per quarter unless otherwise specified in Part V of this permit. If feasible, at least one of these routine facility inspections each calendar year must be conducted during a period when a stormwater discharge is occurring.

(b) The permittee shall document the findings of each routine facility inspection performed and shall maintain this documentation onsite with the SWP3.

(c) The inspections must be documented through the use of a checklist that is developed to include each of the controls and measures that are evaluated. At a minimum, the documentation of each routine facility inspection must include:

(1) the inspection date and time;

(2) the name(s) of the inspector(s);

(3) weather information and a description of any discharges occurring at the time of the inspection;

(4) any previously unidentified discharges of pollutants from the site;

(5) any control measures (structural or non-structural) needing maintenance or repairs;

(6) any failed control measures (structural or non-structural) that need replacement;

(7) any incidents of noncompliance that are observed;

(8) any additional control measures needed to comply with the permit requirements; and

(9) identification of any existing BMPs that are not being properly or completely implemented.

This documentation must be signed in accordance with Part III, Section E.6.(c) of this permit.

When revisions or additions to the SWP3 are recommended as a result of inspections, a summary description of these proposed changes must be attached to the inspection checklist. The summary must identify any necessary time frames required to implement the proposed changes. The routine facility inspection checklists must be made readily available for inspection and review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction.

3. Quarterly Visual Monitoring

Stormwater discharges from each outfall authorized by this general permit must be visually examined on a quarterly basis. Monitoring must be conducted during the normal hours of operation for the facility and samples must be collected in a clean, clear, glass or plastic container and examined in a well lit area.

(a) Findings must document observations of the following:

(1) color;

(2) clarity;

(3) floating solids;

(4) settled solids;

(5) suspended solids;

(6) foam;

(7) oil sheen;

(8) other obvious indicators of stormwater pollution; and

(9) noticeable odors.

Some examinations, such as an examination for odor and foam, may necessarily be conducted immediately following collection of the sample.

(b) All examinations must be performed in a manner that ensures the sample is representative of the discharge (see Part III, Section D). If this is not possible, then the report must include the reason.

(c) Records of quarterly visual monitoring must include the following information, and the report must be included in the SWP3:

(1) sample location(s);

(2) date and time samples were collected and examined;

(3) names of personnel who collected and examined the samples;

(4) nature of the discharge (e.g., runoff, snow melt);

(5) results of the observations;

(6) probable sources of any observed contamination;

(7) visual quality of the stormwater discharge; and

(8) the reason why any samples were not collected within the first 30 minutes of discharge.

(d) Results of the examination must be reviewed by the stormwater pollution prevention team. The team must investigate and identify probable sources of any observed stormwater contamination. The SWP3 must be modified as necessary to address the conclusions of the team.

(e) Part V of this general permit may include alternative schedules for visual monitoring at specific industrial sectors, and may include additional requirements.

4. Water Quality Monitoring Requirements

(a) The permittee shall monitor the discharge from the facility at all outfall(s) determined to be discharging a pollutant of concern at a level of concern under Part II, Section B.7, Impaired Water Bodies and Total Maximum Daily Load (TMDL) Requirements.

(b) The permittee may not establish substantially similar outfalls for sampling required under this section.

(c) The permittee shall monitor the discharge(s) from regulated industrial activities for the pollutant of concern at a frequency of once per year. For the following pollutants of concern, monitoring must be conducted for the following alternative pollutants, unless an alternate is approved in writing by TCEQ's Wastewater Permitting Section (MC-148), or the TCEQ develops separate written guidance:

Pollutant(s) of Concern:

Bacteria: E.coli (for discharge to fresh water); or enterococci (for discharges to marine waters).

Dissolved Oxygen: BOD5, COD, or both (based on the nature of the industrial activity, and whether there is an existing benchmark sampling requirement for the facility's industrial sector).

Nutrients: Phosphorous (for discharges to fresh water); or Nitrogen (for discharges to marine waters), unless otherwise established in an applicable TMDL or TMDL Implementation Plan.

Hazardous Metals: Specific metal(s) listed in 303d list or the TMDL.

Other: If the impairment is due to a parameter for which there is not an obvious analytical test or benchmark value (e.g., sediment, fish tissue, etc.), the permittee shall contact the TCEQ for guidance on which pollutant(s) to monitor for, if any, and the TCEQ will respond in writing. The permittee shall retain this information with the SWP3.

The permittee may utilize the analytical results of sampling for other sections of this general permit to comply with this annual sampling requirements (e.g., hazardous metals sampling in Part III, Section C, or benchmark monitoring in Parts IV and V of this general permit).

(d) Sampling, monitoring, and analyses must be conducted according to procedures specified in Part III, Section E.4 of this permit unless otherwise specified and using test procedures with minimum analytical levels (MALs) at or below benchmark values for all the benchmark parameters for which sampling is required.

(e) Reporting: The permittee shall report the result of sampling for this section to the TCEQ by March 31 following the calendar year in which the samples were collected. Results must be submitted to the TCEQ's Stormwater & Pretreatment Team (MC-148).

(f) If sampling results indicate that the pollutant is present below the level of concern (e.g., the analytical result is below the benchmark values in Part V of this permit) or is not present (e.g., analytical result is below the MAL), then the permittee may discontinue sampling under this section for the remainder of the permit term.

5. Annual Comprehensive Site Compliance Inspection

The comprehensive site compliance inspection is a required site evaluation and an overall assessment of the effectiveness of the current SWP3. This inspection is in addition to other routine inspections required by the permit; however, it may substitute for a routine facility inspection if it is conducted during the regularly scheduled period of the routine facility inspection and the scope of the inspection is sufficient enough to address both the minimum requirements of the routine inspection and the comprehensive site compliance inspection.

(a) General Requirements. The comprehensive site compliance inspection must be conducted at least once each permit year by one or more qualified employees or designated representatives, including at least one member of the stormwater pollution prevention team. The inspection must include an examination and assessment of:

(1) all areas identified in the Inventory of Exposed Materials section of the SWP3;

(2) all structural controls, including the maintenance and effectiveness;

(3) all non-structural controls (e.g., good housekeeping measures, scheduling, etc.);

(4) all areas where spills and leaks have occurred in the past three (3) years;

(5) all reasonably accessible areas immediately downstream of each outfall that is authorized under this general permit;

(6) industrial materials, residue, or trash that may have or could come into contact with stormwater;

(7) leaks or spills from industrial equipment, drums, tanks, and other containers;

(8) offsite tracking of industrial or waste materials, or sediment where vehicles enter or exit the site;

(9) tracking or blowing of raw, final, or waste materials from areas of no exposure to exposed areas;

(10) a review of the results of the past year's visual and analytical monitoring when planning and conducting inspections that are required by this general permit; and

(11) any control measures needing replacement, maintenance, or repair.

(b) Annual Comprehensive Site Compliance Inspection Report. Within 30 days of performing the annual site compliance inspection, the permittee shall prepare a report that includes a narrative discussion of compliance with the current SWP3. The report must be signed and certified in accordance with Part III, Section E.6.(c) of this permit, and must either be included as a part of the SWP3 or referenced in the SWP3 and be made readily available for inspection and review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction. The report must document all of the following information:

(1) name(s) and title(s) of the personnel conducting the inspection;

(2) the date(s) of the inspection;

(3) findings from the inspection of areas of the facility;

(4) observations relating to the implementation of control measures:

a. previously unidentified discharges from the site;

b. previously unidentified pollutants in existing discharges;

c. evidence of, or the potential for, pollutants entering the drainage system;

d. evidence of pollutants discharging to receiving waters, and the condition of and around each outfall; and

e. additional control measures needed to address any conditions requiring corrective action identified during the inspection.

(5) revisions to the SWP3 made as a result of the inspection; and

(6) any incidents of non-compliance:

a. For purposes of this inspection, an incident of non-compliance is any instance where an element of the SWP3 is either not implemented, or where specific conditions of the permit are not met.

b. If no incidents of non-compliance are discovered, the report must contain a certification by the permittee that the facility, or in the case of a shared SWP3, the portion of the facility the permittee is responsible for, is in compliance with the SWP3.

c. If an incident or incidents of non-compliance is identified, then the report must include all necessary actions to remedy the non-compliance. The identified actions must be completed as soon as practicable, but no later than 12 weeks following the completion of the report.

(c) Revision of the SWP3. Within 12 weeks following the completion of the Annual Site Compliance Inspection Report, the permittee shall revise and implement the SWP3 to include and address the findings of the report. Revisions must include all changes resulting from the report and all applicable updates to the following:

(1) elements of the SWP3 requiring modification;

(2) controls (e.g. structural controls or BMPs) that should be added or modified;

(3) site map;

(4) inventory of exposed materials;

(5) description of the good housekeeping measures;

(6) description of structural and non-structural controls; and

(7) any other element of the plan that was either found to be inaccurate or will be modified.

6. Results of Inspections and Monitoring

If the findings of the inspections and monitoring activities in this section demonstrate compliance with the general permit, then the results of the monitoring are not required to be submitted to the TCEQ, unless specifically requested to do so. The permittee shall submit the results of monitoring conducted under this permit that demonstrates noncompliance with any permit condition (see Part III, Section E.6.).

7. Exceptions to Periodic Inspections and Monitoring

Refer to Part III, Section D.4. for exceptions related to adverse weather conditions and inactive and unstaffed sites.

Section C. Numeric Effluent Limitations

1. Discharges of Stormwater Runoff

(a) Numeric Limitations for Hazardous Metals.

Table 1. Daily Maximum Effluent Limitation

Parameter (Total)	Discharges to Inland Waters (mg/L)	Discharges to Tidal Waters (mg/L)	Monitoring Frequency
Arsenic	0.3	0.3	1/Year
Barium	4.0	4.0	1/Year
Cadmium	0.2	0.3	1/Year
Chromium	5.0	5.0	1/Year
Copper	2.0	2.0	1/Year

Parameter (Total)	Discharges to Inland Waters (mg/L)	Discharges to Tidal Waters (mg/L)	Monitoring Frequency
Lead	1.5	1.5	1/Year
Manganese	3.0	3.0	1/Year
Mercury	0.01	0.01	1/Year
Nickel	3.0	3.0	1/Year
Selenium	0.2	0.3	1/Year
Silver	0.2	0.2	1/Year
Zinc	6.0	6.0	1/Year

(b) Daily Maximum Effluent Limitation. A grab sample must be collected at a minimum frequency of once per year at the final outfall or a designated sampling location (also see Part III, Section D.2.). For the purpose of collecting samples for hazardous metals, all designated sampling points must be representative of the discharge(s) from the facility that would reach surface water in the state.

(1) Samples of discharges collected at the final outfall must be collected either immediately prior to entering surface water in the state or immediately prior to leaving the permitted facility property.

(2) Samples of discharges collected at a designated sampling point must be collected in accordance with the requirements in Part III, Section E.4. of this permit.

A designated sampling point must be established when it can be determined that samples taken at a final outfall, as described in Part III, Section C.1.(b)(1) above, would not be considered representative of the discharge from the facility.

(3) If there is not an obvious outfall location, a designated sampling point may need to be created in accordance with the requirement in Part III, Section E.4.(a) of this permit.

(c) Reporting Requirements.

(1) Results of monitoring for determining compliance with numeric effluent limitations must be recorded on a discharge monitoring report (DMR). The DMR must either be an original EPA No. 3320-1 form, a duplicate of the form, or as otherwise provided by the executive director.

(2) Monitoring must be conducted prior to December 31st for each annual monitoring period and the results must be reported as required in Part III, Section E.6. of this permit. A copy of the DMR must either be retained at the facility or must be made readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction by March 31st following the annual monitoring period.

(3) If the results indicate the violation of one or more of the numeric limitations listed above in Part III, Section C.1.(a), the permittee shall also submit the DMR to the TCEQ's Information Resources Division, Central File Room (MC-213) by March 31st following the annual monitoring period in which the violation(s) occurred.

(d) Waiver from Numeric Effluent Limitation. Permittees qualify for a waiver from monitoring requirements for one or more hazardous metal if one of the following criteria are met, and the waiver is obtained by certifying the conditions exist. This certification must be completed on a form provided by the executive director. A new form must be completed during each permit term, no later than prior to the first sampling event that the permittee is seeking to waive. The form must be either maintained onsite or made readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction. Waivers may be obtained on a metal by metal basis, or on an outfall by outfall basis:

(1) the permittee certifies that the regulated facility does not use a raw material, produce an intermediate product, or produce a final product that contains one (1) or more of the hazardous metals listed at Part III, Section C.1.(a) of this permit; or

(2) the permittee certifies that any raw materials, intermediate products, or final products that contain one or more hazardous metal are never exposed to stormwater or runoff (final products are not considered to expose hazardous metals to stormwater or runoff if the final product is designed for outdoor use, unless it is a product that could be transported by stormwater runoff or the final product will be used as a material or intermediate product); or

(3) the permittee collects a sample from the first available discharge from the facility occurring during first sampling period of this permit, analyzes the sample for one or more of the listed hazardous metals, and the results indicate that the metal(s) is/are not present in detectable levels. Test methods used must be sensitive enough to detect the following parameters at the minimum analytical level (MAL) specified below, and results of sampling must be retained on site and available for review by TCEQ personnel:

Table 2. Minimum Analytical Levels (MAL) for Hazardous Metals

Pollutants	**MAL (mg/L)**
Arsenic, total	0.0005
Barium, total	0.003
Cadmium, total	0.001
Chromium, total	0.003
Copper, total	0.002
Lead, total	0.0005
Manganese, total	0.0005
Mercury, total	0.000005
Nickel, total	0.002
Selenium, total	0.005
Silver, total	0.0005
Zinc, total	0.005

When an analysis of a discharge sample for any of the parameters listed above indicates no detectable levels above the MAL, and the test method detection level is as sensitive as the specified MAL, a value of zero (0) may be used for that measurement, and a waiver may be obtained for the duration of the permit term following the sample collection, for any hazardous metal that measures zero (0).

(4) Hazardous metals monitoring waivers are effective beginning on the date that the waiver certification is made following submittal of an NOI, and lasting for the duration of the term of this general permit. The permittee will be required to comply with any requirements of a reissued general permit with respect to sampling and waivers, including obtaining a new hazardous metals monitoring wavier (see the criteria listed above).

(e) Relation to Benchmark Monitoring. If a facility is required to sample for any of the above hazardous metals as part of the benchmark requirements in Part V of this permit, then the permittee is subject to the effluent limitations listed in Part III, Section C.1. of this general permit for those hazardous metals sampled at a final outfall as part of benchmark monitoring. There are no waivers available for pollutants that are required in Part V of the general permit. If sampling for benchmark metals is not performed at a final outfall, then the above effluent limits may not apply for the benchmark sample if the sample is not representative of the discharge from the site. In this situation, the discharge must also be sampled at each final outfall to comply with the sampling and analyses requirements of this section.

2. Discharges Subject to Federal Categorical Guidelines

Part V of this general permit includes additional effluent limitations for certain stormwater discharges as required under 40 CFR Subchapter N (Parts 400-471). The permittee is subject to the sampling and reporting requirements as stipulated in the applicable sections of Part III, Section D, and Part V of this general permit.

Section D. General Monitoring and Records Requirements

1. Qualifying Storm Events

For purposes of the MSGP, a qualifying storm event as an event that results in a discharge from the permitted facility. For qualifying storm events, the following requirements apply:

(a) Monitoring, sampling, examinations, and inspections of stormwater discharges that are required as a provision of this general permit must be conducted on discharges from a measureable storm event that results in an actual discharge from the site, and that follows the preceding measurable storm event by at least 72 hours (3 days). The 72-hour storm interval does not apply if the permittee is able to document in the SWP3 that less than a 72-hour (3-day) interval is representative for local qualifying storm events during the sampling period. In the case of snowmelt, the monitoring must be performed at a time when a measurable discharge occurs at the site.

(b) A facility that has retention ponds as BMPs will not always have a discharge from the pond(s) immediately following a qualifying storm event. If any storm events occurred prior to discharge from the outfall, regardless of the time period between the last storm event and the discharge, the permittee may consider the discharge to be the result of the previous qualifying storm event.

(c) The permittee shall maintain a rain gauge on-site to determine when a qualifying storm event occurs. The rain gauge must be monitored a minimum of once per week, and

once per day during storm events. Records of the date and rainfall total must be retained on-site or made readily available for review. If there is no rain during a given week, the permittee shall monitor and record a zero rainfall total or no rain for the week. Rain gauge monitoring and recordkeeping may be temporarily suspended during a given monitoring period if a qualifying storm event has occurred and the required sampling and analyses or visual observations have been performed.

2. Representative Discharge Samples

(a) All samples must be representative of the discharge.

(1) Sampling should be conducted within the first 30 minutes of discharge using a grab sample. Sampling from retention ponds described in Part III, Section D.1.b. above should be conducted within 30 minutes of the initiation of discharge from the pond. If it is not practicable to collect the sample or to complete the sampling within the first 30 minutes, then sampling must be completed within the first hour of discharge.

If sampling is not completed within the first 30 minutes of discharge, the reason must be documented and attached to all required reports and records of the sampling activity.

In the case of snowmelt, samples must be taken during a period with a measurable discharge.

(2) If alternate sampling requirements are defined in the permit where numeric effluent limitations have been established, the permittee shall comply with the requirements described in the section with the numerical effluent limits; however, other applicable portions of this section will still apply.

(3) Authorized Stormwater Discharges that Combine with Other Permitted Flows. If stormwater discharges authorized under this general permit combine with other stormwater or with wastewater authorized under a separate permit, then sampling must be conducted at a point before the waters combine.

(4) Non-Stormwater Discharges. Monitoring of allowable non-stormwater discharges is only required when they are commingled with stormwater discharges associated with industrial activity.

(b) Representative Discharges from Substantially Similar Outfalls.

(1) Monitoring requirements apply to all outfalls authorized by this permit, unless the permittee establishes substantially similar outfall(s). If discharges of stormwater through two (2) or more outfalls show substantially similar effluents, then sampling and monitoring may be conducted at only one (1) of those outfalls that are substantially similar, and the results may be reported as representative of the discharge from the substantially similar outfall(s).

Before results may be submitted as representative of discharges from substantially similar outfalls, the permittee shall ensure that the SWP3 includes a description of all outfall locations and a detailed justification of why the discharge qualities from the outfalls are substantially similar.

To determine if outfalls are substantially similar, the following characteristics of each outfall must be compared:

a. the industrial activities that occur in the drainage area to each outfall;

b. significant materials stored or handled within the drainage area to each outfall; and

c. the management practices and pollution control structures that occur within the drainage area of each outfall.

(2) Substantially similar outfalls may be established for the following monitoring requirements described in this general permit:

a. Quarterly Visual Monitoring (Part III, Section B.3);

b. Hazardous Metals Monitoring (Part III, Section C); and

c. Benchmark Monitoring (Parts IV and V)

(3) Substantially similar outfalls may not be established for the following:

a. Outfalls with any non-stormwater discharges; and

b. Outfalls with discharges subject to numeric effluent limits listed in Part V (sector-specific effluent limits).

(4) The following information must be documented in the SWP3 if the substantially similar outfall exception is being used for any required monitoring:

a. location of each of the substantially similar outfalls;

b. description of the general industrial activities conducted in the drainage area of each outfall;

c. description of the control measures implemented in the drainage area of each outfall;

d. description of the exposed materials located in the drainage area of each outfall that are likely to be significant contributors of pollutants to stormwater discharges;

e. estimate of the runoff coefficient of the drainage areas;

f. explanation regarding why the outfalls are expected to discharge substantially identical effluents; and

g. assurance that control measures have been assessed and modified as appropriate for each outfall represented by the monitored outfall, if necessary due to stormwater contamination being identified through visual assessment of substantially identical outfall.

3. Monitoring Periods

(a) Sampling, inspections, and examinations that are required on a quarterly basis must be conducted during the following periods:

First (1st) quarter - January 1 thru March 31;
Second (2nd) quarter - April 1 thru June 30;
Third (3rd) quarter - July 1 thru September 30; and
Fourth (4th) quarter - October 1 thru December 31.

Permittees shall begin required sampling, inspections, and examinations on a quarterly basis in the first full quarter following submission of a NOI.

(b) Sampling, inspections, and examinations that are required on a semiannual basis must be conducted during the following periods:

First (1st) period - January 1 thru June 30; and
Second (2nd) period - July 1 thru December 31.

Permittees shall begin required sampling, inspections, and examinations on a semiannual basis in the first full period following submission of a NOI.

(c) Monitoring, inspections, and examinations that are required on an annual basis must be conducted before December 31st of each calendar year, beginning with the calendar year that includes the first full quarter following submittal of an NOI.

4. Exceptions to Monitoring Requirements

(a) Adverse Conditions.

(1) Requirements to sample, inspect, examine or otherwise monitor stormwater discharges within a prescribed monitoring period may be temporarily suspended for adverse conditions. Adverse conditions are conditions that are either dangerous to personnel (e.g., high wind, excessive lightning) or conditions that prohibit access to a discharge (e.g., flooding, freezing conditions, extended periods of drought). Adverse conditions that result in the temporary suspension of a permit requirement to sample, inspect, examine, or otherwise monitor stormwater discharges must be documented and included as part of the SWP3. Documentation must include the date, time, names of personnel that witnessed the adverse condition, and the nature of the adverse condition.

(2) Monitoring Waivers. When monitoring is temporarily suspended due to adverse conditions, that monitoring must be conducted in the next monitoring period, in addition to any monitoring required for that period. If the temporarily suspended monitoring requirement cannot be fulfilled during the next monitoring period due to continued adverse conditions, then it is permanently waived for both monitoring periods.

(3) The SWP3 must include records of why monitoring was temporarily suspended due to adverse conditions.

(b) Inactive Facilities. Permitted facilities in this inactive status must provide written notice to the executive director of this status. Following this notification, permit requirements to sample, inspect, examine, or otherwise monitor stormwater discharges are waived during the period that a facility maintains inactive status, unless the requirements in Part V. of this permit include specific requirements for inactive facilities.

Inactive facilities must notify the executive director in writing at least 48 hours before commencing industrial activities and transferring to active status.

5. Records Retention

Monitoring and reporting records, copies of all other records required by this general permit, and records of all data used to complete the application for this general permit must be retained at the facility or must be made readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction for a period of three (3) years from the date of the record or sample, measurement, report, application, or certification. This period must be extended at the request of the executive director.

The SWP3 must be maintained, and be made readily available for inspection and review upon request by authorized TCEQ personnel as well as any local pollution control agency

with jurisdiction. Additionally, a copy of all SWP3s for the preceding three (3) year period must be maintained and made readily available for review. In circumstances where the number of revisions to the SWP3 makes this requirement burdensome, a log or record of revisions for the preceding three (3) year period may be maintained and made available.

If the general permit is terminated or allowed to expire without renewal, the SWP3 must be maintained and made readily available for review for a minimum period of one (1) year following cessation of permit coverage.

6. Monitoring and Inspection Documentation

The procedures for conducting the required analytical monitoring must be documented in the SWP3.

(a) For each type of monitoring required in the permit, the SWP3 must include the following:

(1) a list of locations where samples are collected, including any determination that two (2) or more stormwater only outfalls are considered to be substantially similar;

(2) parameters that must be sampled, including the frequency of sampling for each parameter;

(3) schedules for conducting monitoring activities;

(4) any numeric control values applicable to discharges from each outfall (e.g., benchmark sampling levels, numeric effluent limitations, or other requirements); and

(5) procedures for gathering storm event data.

(b) if the permittee is not conducting monitoring due to claiming an inactive and unstaffed site, the information to support this claim must be included in the SWP3.

(c) The procedures for performing the inspections specified by this permit must be documented in the SWP3, including routine facility inspections, quarterly visual assessment of stormwater discharges, and comprehensive site inspections.

For each type of inspection performed, the SWP3 must identify the person(s) or positions of person(s) responsible for inspection; schedules for conducting inspections, including tentative schedule for facilities in climates with irregular stormwater runoff discharges; and specific items to be covered by the inspection, including schedules for specific outfalls.

Section E. Standard Permit Conditions

30 TAC Chapter 305 requires certain regulations appear as standard conditions in waste discharge permits. 30 TAC §§305.121 - 305.129, Subchapter F, Permit Characteristics and Conditions, as promulgated under the TWC §§5.103 and 5.105, the Texas Health and Safety Code §§361.017 and 361.024(a), and those sections of 40 CFR Part 122 adopted by reference by the Commission, establish the characteristics and standards for waste discharge permits. This section includes these conditions and incorporates them into this general permit. More specific requirements for some of these standard permit conditions may be defined for specific sectors of industrial activity that are authorized to discharge under this general permit.

1. General Conditions

(a) Duty to Comply.

(1) Submission of an NOI for permit coverage is an acknowledgment that the applicant agrees to comply with the conditions of the general permit. Acceptance of authorization under the provisions of this general permit constitutes acknowledgment and agreement that the permittee will comply with all the terms and conditions embodied in the permit, and the rules and other orders of the Commission.

(2) The permittee has a duty to comply with all conditions of the permit. Failure to comply with any permit condition constitutes a violation of the permit and the Texas Water Code or the Texas Health and Safety Code and is grounds for enforcement action, for revocation or suspension of coverage under this general permit, and for requiring a permittee to apply for a TPDES individual permit or coverage under an alternative general permit.

(b) Toxic Pollutants.

(1) If any toxic effluent standard or prohibition is promulgated according to the TWC §26.023 for a toxic pollutant that is present in the discharge and that standard or prohibition is more stringent than the conditions of this general permit, this general permit must be modified or revoked and reissued to conform to the toxic effluent standard or prohibition.

(2) The permittee shall comply with effluent standards or prohibitions established according to the TWC §26.023 for toxic pollutants within the time provided in the regulations that established those standards or prohibitions, even if this general permit has not yet been modified to incorporate the requirement.

(c) Permit Flexibility. Authorization under this general permit may be modified, suspended or revoked for cause according to 30 TAC §§305.62 and 305.66 and the TWC Section §7.302. The filing of a notice of planned changes or anticipated noncompliance does not stay any permit condition.

(d) Property Rights. A permit does not convey any property rights of any sort, or any exclusive privilege.

(e) Duty to Provide Information. The permittee shall furnish to the executive director, upon request, any information, including records that are maintained as a requirement of this permit, necessary to determine whether cause exists for revoking, suspending, or terminating authorization under this general permit.

(f) Criminal and Civil Liability.

(1) As provided by state law, the permittee is subject to administrative, civil and criminal penalties, as applicable, for negligently or knowingly violating the CWA, the TWC, Chapters 26, 27, and 28, and Texas Health and Safety Code, Chapter 361, including but not limited to: knowingly making any false statement, representation, or certification on any report, record, or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance; falsifying or tampering with or knowingly rendering inaccurate any monitoring device or method required by this permit; or violating any other requirement imposed by state or federal regulations. Nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

(2) Any false or materially misleading representation or concealment of information required to be reported by the provisions of the permit or applicable regulation,

which avoids or effectively defeats the regulatory purpose of this general permit, may subject the permittee to criminal enforcement.

(g) Severability. The provisions of this general permit are severable and if any provision of this permit or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this general permit, shall not be affected thereby.

2. Proper Operation and Maintenance

(a) Need to Halt or Reduce Not a Defense. It is not a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this general permit.

(b) Duty to Mitigate. The permittee shall take all reasonable steps to minimize or prevent any discharge or other permit violation that has a reasonable likelihood of adversely affecting human health or the environment.

(c) Operation of Treatment and Control Systems.

(1) The permittee shall at all times ensure that the facility and all of its systems of collection, treatment, and disposal are properly operated and maintained in a manner that will minimize discharges of excessive pollutants and will achieve compliance with the conditions of this permit. Proper operation and maintenance also include adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary systems that are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

(2) The permittee shall provide an adequate operating staff that is duly qualified to carry out operation, maintenance, and testing functions required to ensure compliance with the conditions of this general permit.

(d) Anticipated Noncompliance. The permittee shall give advance notice to the executive director of any planned changes in the permitted facility or activity that may result in noncompliance with permit requirements.

3. Inspection and Entry Requirements

(a) Inspection and Entry. Inspection and entry must be allowed as prescribed in the TWC Chapters 26, 27, and 28, and Texas Health and Safety Code Chapter 361.

(b) Entry to Public or Private Property. The members of the Commission and employees and agents of the Commission are entitled to enter any public or private property at any reasonable time for the purpose of inspecting and investigating conditions relating to the quality of surface water in the state or the compliance with any rule, regulation, permit or other order of the Commission. Members, employees, or agents of the Commission and Commission contractors are entitled to enter public or private property at any reasonable time to investigate or monitor or, if the responsible party is not responsive or there is an immediate danger to public health or the environment, to remove or remediate a condition related to the quality of surface water in the state. Members, employees, Commission contractors, or agents acting under this authority who enter private property shall observe the establishment's rules and regulations concerning safety, internal security, and fire protection, and if the property has management in residence, shall notify management or the person then in charge of his presence and shall exhibit proper credentials. If any member, employee, Commission

contractor, or agent is refused the right to enter in or on public or private property under this authority, the executive director may invoke the remedies authorized in TWC §7.002.

4. Monitoring and Sampling

(a) Representative Sampling. Samples and measurements taken for the purpose of monitoring must be representative of the monitored activity or activities and must be taken at an outfall or outfalls that will best represent the types of industrial activity or activities conducted at a facility site. If no obvious outfall location is present (e.g., a diffuse point source), the permittee may need to create a sampling point. This may include creating a depression or using physical means (e.g., sandbags or curbs) to direct the runoff for easier collection for sampling and measurement purposes.

(b) Benchmark Monitoring. This type of monitoring differs from monitoring for compliance with numeric effluent limitations. Results from benchmark monitoring are used to determine if the selected BMPs are effective. The samples must be collected from internal or external outfalls where the BMPs are installed. The sample must be collected before the discharge commingles with stormwater from other areas of the site.

(c) Monitoring Procedures.

(1) Unless otherwise specified in this permit, test procedures for the analysis of pollutants shall comply with procedures specified in 30 TAC §§319.11 - 319.12.

(2) All laboratory tests submitted to demonstrate compliance with this permit must meet the requirements of 30 TAC Chapter 25, Environmental Testing Laboratory Accreditation and Certification.

(d) Monitoring Results. Monitoring results must be provided at the intervals specified in this general permit.

(e) Additional Monitoring by the Permittee. If the permittee monitors any pollutant more frequently than required by this general permit using approved analytical methods, all results of the monitoring must be included in the calculation and reporting of the values recorded on the DMR form and must be included in any other calculation, record, or reports required to be maintained as a provision of this general permit. Increased frequency of sampling must be indicated on the DMR.

5. Records Requirements

(a) Retention of Records.

(1) The period records are required to be retained must be automatically extended to the date of the final disposition of any administrative or judicial enforcement action that may be instituted against the permittee.

(2) Monitoring and reporting records, including records of calibration and maintenance, and copies of all records and reports required by this permit, must be retained at the facility or must be readily available for review by a TCEQ representative for a period of three years from the date of the record or sample, measurement, report, application or certification unless otherwise specified in this permit. This period must be extended at the request of the executive director.

(b) Record Contents.

Records of monitoring must include, at a minimum, the following:

(1) date, time, and place of sample or measurement;

(2) identity of the individual who collected the sample, made the measurement or observation, or performed the analysis;

(3) date and time the sample, measurement, or observation was made, and the analysis conducted;

(4) identity of the individual and laboratory who performed the analysis;

(5) technique or method of analysis;

(6) results of the measurement, observation, or analysis; and

(7) quality assurance/quality control records.

6. Reporting Requirements

(a) Self-Reporting of Numeric Effluent Limits Results.

(1) Results of analyses for determining compliance with numeric effluent limitations must be recorded on a discharge monitoring report (DMR). The DMR must either be an original EPA No. 3320-1 form, a duplicate of the form, or as otherwise provided by the executive director.

(2) Monitoring must be conducted prior to December 31st for each annual monitoring period. Results of the monitoring must be recorded on a DMR and made available by March 31 of the following year as described below:

(3) DMRs for hazardous metals sampling (see Part III, Section C.1. of this general permit) must either be retained at the facility or must be otherwise made readily available for review upon request by March 31st of the following year.

(4) In addition, DMRs for the following sampling results must be submitted to the TCEQ at the address shown on the DMR, and to the appropriate TCEQ Regional Office:

a. Noncompliance with any effluent limit (e.g. hazardous metals effluent limits) (also see Part III, Section E.6.(b) below), or

b. Results of all sampling and monitoring performed to comply with effluent limitations guidelines, or ELGs (40 CFR Parts 400 through 471) as described in Part V of this permit (See Part V, Sections A.7., C.4., D.4., E.5., J.6., O.5., and S.6). If no discharge occurs from facilities subject to ELGs under these sections, a DMR must be submitted that indicates no discharge occurred during the reporting period. In addition to reporting requirements for numeric effluent limits that are recorded on DMRs, the permittee shall report to the TCEQ the results of all sampling and monitoring performed to comply with any non-numeric as described in Part V of this permit, and this information shall be submitted along with the DMR form, by March 31 of each year.

(b) Noncompliance Notification.

(1) According to 30 TAC §305.125(9) any noncompliance that may endanger human health or safety, or the environment, must be reported by the permittee to the TCEQ. Report of such information must be provided orally or by electronic facsimile transmission (fax) to the TCEQ regional office within 24 hours of becoming aware of the noncompliance. A written report must be provided by the

permittee to the TCEQ regional office and to the TCEQ Enforcement Division (MC-224) within five working days of becoming aware of the noncompliance. The written report must contain:

a. a description of the noncompliance and its cause;

b. the potential danger to human health or safety, or the environment;

c. the period of noncompliance, including exact dates and times;

d. if the noncompliance has not been corrected, the anticipated time it is expected to continue; and

e. steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance, and to mitigate its adverse effects.

(2) In addition to the above, any violation that deviates from the permitted effluent limitation by more than 40% must be reported in writing to the appropriate TCEQ regional office and to the Enforcement Division (MC-224) within five working days of becoming aware of the noncompliance.

(3) Other Noncompliance.

In addition to the reporting requirements listed in Part III, Sections E.6.(b)(1) and (2) above, any noncompliance with the permit must be reported in writing to the TCEQ:

a. Noncompliance with an effluent limitation for a discharge subject to federal numeric effluent limitations guidelines (40 CFR Subchapter N – Parts 400-471) must be recorded on a DMR. All DMRs recording the compliant annual sampling results must be submitted to the appropriate regional office of the TCEQ by March 31st of the following year. This requirement is in addition to the reporting requirement for all results of ELG sampling as described in Part III, Section E.6.(a)(4) above.

b. Any noncompliance with an effluent limit for any of the hazardous metals required in Part III, Section C.1 of this permit must be recorded on a DMR and reported at a frequency of at least once per year. The DMR must be submitted by March 31st of the following year to the address shown on the DMR and to the appropriate regional office.

c. Any other noncompliance(s) with the general permit must be reported to the TCEQ by March 31 following the calendar year in which the noncompliance(s) occurred. The permittee shall report any additional noncompliance(s) not described above under this paragraph to the TCEQ, Information Resource Division, MC-213, or to the address shown on a reporting form, if one is made available by TCEQ. The permittee may meet this requirement by submitting a copy of the Annual Comprehensive Site Compliance Inspection Report (see Part III, Section B.5.(b) or by submitting a narrative explanation of the noncompliance(s).

(c) Signatory Requirements for Reports and Certifications. 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).

(d) Other Information. When the permittee becomes aware that it either submitted incorrect information or failed to submit any relevant facts on an NOI, NOT, NEC,

NOC, or any report, it must promptly submit the facts or information to the executive director.

7. Solid Waste

(a) Industrial Solid Waste

Facilities that generate industrial solid waste as defined in 30 TAC §335.1 must comply with these provisions:

(1) Any solid waste, as defined in 30 TAC §335.1, generated by the permittee during the management and treatment of stormwater, must be managed according to all applicable provisions of 30 TAC Chapter 335, relating to Industrial Solid Waste and Municipal Hazardous Waste.

For the purpose of stormwater treatment, a solid waste management unit includes structural controls such as detention ponds, retention ponds, or other similar dedicated ponds used for removal of pollutants in stormwater, and does not include other control structures such as berms; grass swales; pipes and ditches (or similar stormwater conveyances); or silt fences.

(2) Stormwater that is being collected, accumulated, stored, or processed within a solid waste management unit, before discharge through any final outfall authorized by this permit, is considered to be solid waste until the stormwater passes through the actual point source discharge, and must be managed according to all applicable provisions of 30 TAC Chapter 335.

(3) The permittee shall provide written notification, pursuant to the requirements of 30 TAC §335.6, to the Corrective Action Section (MC-127) of the Remediation Division informing the Commission of any closure activity involving a Solid Waste Management Unit, at least 90 days prior to conducting such an activity.

(4) Construction of any solid waste management unit requires the prior written notification of the proposed activity, pursuant to the requirements of 30 TAC §335.6(a) to the Registration and Reporting Section (MC 129) of the Permitting and Registration Support Division. No person shall dispose of industrial solid waste or municipal hazardous waste, including sludge or other solids from stormwater treatment processes, prior to fulfilling the deed recordation requirements of 30 TAC §335.5.

(5) The permittee shall keep management records for all sludge or other waste removed from any stormwater treatment process. These records must fulfill all applicable requirements of 30 TAC Chapter 335 and must include the following, as it pertains to wastewater treatment and discharge:

a. volume of waste and date generated from treatment process;

b. volume of waste disposed of onsite or shipped off-site;

c. date of disposal;

d. identity of hauler or transporter;

e. location of disposal site; and

f. method of final disposal.

The above records must be updated on a monthly basis. The records must be retained at the facility or must be readily available for review by authorized representatives of the TCEQ for at least five years.

(b) Municipal Solid Waste

All facilities regulated under this general permit that generate municipal solid waste must comply with applicable rules and regulations, including 30 TAC Chapter 330.

Part IV. BENCHMARK MONITORING REQUIREMENTS

Certain industrial activities are required to conduct additional sampling for the purpose of characterizing the discharge from the regulated activity (ies). The following sectors are required to conduct benchmark sampling:

Table 3. List of sectors with monitoring requirements, benchmark parameters, and benchmark levels.

Sector(s) with Monitoring Requirements	Benchmark Parameter	Benchmark Value
C, E, F, H, M, N, Q, AA	Aluminum, total	1.2 mg/L
K, S	Ammonia-Nitrogen	1.7 mg/L
G	Antimony, total	0.636 mg/L
A, K	Arsenic, total	0.01 mg/L
G	Beryllium, total	0.13 mg/L
T	BOD5	20 mg/L
G	Cadmium, total	.001 mg/L
A,B, G, K, N, S,U, AD	COD	60 mg/L
A, F, G, N	Copper, total	0.03 mg/L
K	Cyanide, total	0.02 mg/L
C, E, F, G, H, L, M, N, O, Q, AA	Iron, total	1.3 mg/L
C, G, K, M, N, Q	Lead, total	0.01 mg/L
K	Magnesium, total	1.4 mg/L
G	Manganese, total	1 mg/L
G	Mercury, total	0.0002 mg/L
G	Nickel, total	1.417 mg/L
C, G, J, U, AA	Nitrate + Nitrite Nitrogen	0.68 mg/L
AD	Oil & Grease	10 mg/L
C	Phosporous	1.25 mg/L
E, G, J, S, AD	pH	6.0-9.0 S.U.
G	Selenium, total	0.01 mg/L
G	Silver, total	0.002 mg/L
A, C, D, E, F, H, J, O, Q, U, AA	TSS	50 mg/L
E, F, G, L, M, N, U, AD	TSS	100 mg/L
G	Turbidity	5 NTU
A, C, F, G, N, Q, Y, AA	Zinc, total	0.16 mg/L

Note: For some of the sectors the monitoring requirements are not applicable for all SIC codes. See Part V for detailed information.

Section A. Use of Benchmark Data

1. Monitoring for Benchmark Parameters in Discharges

The permittee shall monitor the discharge(s) from regulated industrial activities as required in Part III.E.4(b) and Part V of this general permit, for the benchmark parameters specified within each section of Part V. Benchmark monitoring is required for the industrial sector(s) listed in Part V of this permit that are applicable to the permittee's facility/site. This includes the primary industrial activity and any co-located industrial activities (i.e., secondary industrial activities) that are conducted at the site and are described in this permit.

(a) The permittee shall compare the results of the benchmark analyses to the benchmark values for any pollutant(s) that the permittee is required to monitor according to Part V of this general permit, and shall include this comparison in the overall assessment of the SWP3's effectiveness. Analytical results that exceed a benchmark value are not a violation of this permit, as these values are not numeric effluent limitations. However, not conducting benchmark sampling, not submitting the benchmark monitoring form with sample results, or not submitting the benchmark monitoring form with an explanation as to why the sampling failed to be conducted is a violation of the permit requirements for benchmark monitoring submittal. Exceedances of benchmark values indicate that modifications to the SWP3 and current BMP(s) may be necessary.

(b) The permittee is not eligible for a sampling waiver under Part III, Section C. of this permit for any hazardous metals that are required to be sampled as part of benchmark monitoring. The permittee is subject to the effluent limitations in Part III, Section C. for any monitoring for hazardous metals that is conducted at a final outfall.

(c) Sampling, monitoring, and analyses must be conducted according to procedures specified in Part III, Section E4. of this permit unless otherwise specified and using test procedures with minimum analytical levels (MALs) at or below benchmark values for all the benchmark parameters for which sampling is required.

2. Background Concentrations

If during benchmark monitoring the average concentration of a pollutant exceeds a benchmark value and it is determined that the exceedance is attributable solely to the presence of that pollutant in the natural background, the permittee is not required to perform corrective action or additional benchmark monitoring provided that:

(a) the average concentration of the benchmark monitoring results are less than or equal to the concentration of the pollutant in the natural background;

(b) the permittee documents in the SWP3 the supporting rationale for concluding that benchmark exceedance are attributable solely to natural background pollutant levels, as outlined in Part IV, Section A.2.of this permit. Any data previously collected (including literature studies) must be included in the supporting rationale that describe the levels of natural background pollutants in the stormwater discharge; and

(c) the permittee notifies TCEQ in writing during the reporting period for the sampling period that the permittee determined the benchmark exceedance are attributable solely to natural background pollutant levels.

Natural background pollutants include substances that are naturally occurring in the soil or groundwater. Natural background pollutants do not include legacy pollutants from earlier activity at the site, or pollutants in runon from neighboring sources that are not naturally

occurring. Background concentrations may be identified by laboratory analyses of samples of stormwater runon to the permitted facility, laboratory analyses of samples of stormwater runoff from adjacent non-industrial areas, or by identifying the pollutant as a naturally occurring material in soil at the site.

3. Investigations of Benchmark Value Exceedences

The Pollution Prevention Team must investigate the cause for each exceedance and must document the results of this investigation in the SWP3 within 90 days following the sampling event.

The Pollution Prevention Team investigation must identify the following:

(a) any additional potential sources of pollution, such as spills that might have occurred;

(b) necessary revisions to the Good Housekeeping Measures section of the SWP3;

(c) additional BMPs, including a schedule to install or implement the BMPs; and

(d) other parts of the SWP3 for which revisions are appropriate.

Background concentrations of specific pollutants may be considered during the investigation as described in Part IV, Section A.2. above. If the Pollution Prevention Team is able to relate the cause of the exceedance to background concentrations, then subsequent exceedance of benchmark values for that pollutant may be resolved by referencing the earlier finding in the SWP3.

4. Exception for Inactive and Unstaffed Sites

The requirement for benchmark monitoring does not apply at a facility that is inactive and unstaffed, provided that there are no industrial materials or activities exposed to stormwater and that the permittee performs the following:

(a) include a written statement in the SWP3 stating that the site is inactive and unstaffed, and that there are no industrial materials or activities exposed to stormwater. This statement must be signed and certified in accordance with 30 TAC §305.128; and

(b) immediately begin complying with the applicable benchmark monitoring requirements in this section if circumstances change and industrial materials or activities become exposed to stormwater, or the facility becomes active or staffed, as this creates a condition where the exception no longer applies. Benchmark monitoring must be resumed as if in the first year of permit coverage. The permittee must indicate in the first benchmark monitoring report that the facility has materials or activities exposed to stormwater or has become active or staffed.

(c) If a site or facility is not qualified for this exception at the time authorization is obtained under this permit, but becomes qualified because the facility is inactive and unstaffed at some point during the permit term, and there are no industrial materials or activities that are exposed to stormwater, then the permittee must notify TCEQ in writing of this change in the next benchmark monitoring report. Benchmark monitoring may be discontinued once TCEQ has been notified in writing, and a certification statement has been prepared and signed and certified in accordance with 30 TAC §305.128.

5. Adverse Weather Conditions

Sampling under this section is subject to the exceptions related to adverse weather conditions or drought in accordance with Part III, Section D.4. of this general permit.

Section B. Benchmark Monitoring Requirements

The benchmark monitoring parameters for each industrial sector are listed in Part V of this general permit under the individual sectors. Benchmark monitoring must be conducted once every six months for four (4) years following permit issuance.

1. Monitoring Periods

(a) Benchmark monitoring must be conducted once every six months (January through June **or** July through December) following permit issuance, and then once during each semiannual monitoring period (i.e., January through June and July through December) during the next four years, except that a waiver is available for the third and fourth year according to Part IV, Section B.1.(c) below.

(b) Operators of industrial facilities that obtain coverage after the beginning of a monitoring period shall initiate benchmark monitoring during the first six month monitoring period (January through June **or** July through December). During permit renewal years, the operator shall initiate sampling in the first complete six month monitoring period. Sampling must be conducted once per semiannual monitoring period (January through June and July through December) thereafter, for a total of four (4) years, or eight (8) semiannual monitoring periods. A waiver is available if the annual average results of monitoring during the first two (2) years are all below benchmark levels, in accordance with Part IV, Section B.1.(c) below.

(c) Waiver from Benchmark Monitoring. If the annual average results of benchmark sampling for the first two monitoring years are all below the benchmark levels, the permittee is not required to conduct benchmark monitoring during the third and fourth monitoring years. The annual average result is the average of all samples collected for a particular pollutant for a specific SIC code during the previous calendar year, January through December. If sampling for any monitoring period was not performed, then the average annual result must be calculated using the remaining samples for that calendar year.

Permittees who obtain a waiver are subject to the following limitations:

(1) The permittee may exercise this waiver from benchmark monitoring, so long as the analytical result for any pollutant limited in the annual hazardous metal monitoring does not exceed the corresponding benchmark monitoring level for that pollutant, if that pollutant is included in the list of parameters in Part V of this permit for which monitoring is required of the permittee.

(2) If during monitoring for annual hazardous metals, sampling to comply with sector-specific effluent specific limits, or any additional sampling performed by the facility operator, an analytical result exceeds the benchmark level for a pollutant for which a benchmark waiver was obtained, the permittee shall investigate the source of the exceedance, make the necessary correction or mitigation (as outlined above in section A) and return to performing benchmark monitoring according to: the requirements of Part IV; the applicable schedule outlined in Part III, Section D.3.; and any sector specific requirements that apply.

(3) This waiver does not affect the requirements for a permittee to sample and analyze its discharge to comply with any numeric effluent limitations established in this permit. (See Part III, Section C, related to hazardous metals monitoring, and Part V for discharges subject to federal effluent limitations guidelines listed in Part V of this permit.

2. Reporting Requirements

(a) Results of analyses for sampling during the first two benchmark monitoring years must be submitted to TCEQ before March 31st of each year following sample collection. The reported values must be the average yearly result of analysis for each specific pollutant discharged under a specific SIC code, rather than an outfall-by-outfall, basis. The report must be completed on a form provided by the executive director and mailed to the TCEQ's Wastewater Permitting Section (MC-148).

(b) Substantially similar outfalls may be established for benchmark monitoring, in accordance with Part III, Section D.2. of this general permit.

(c) Results of the average of the two semiannual benchmark analysis during the third and fourth monitoring years must be retained on site, unless the results exceed benchmark levels, in which case, the results must be submitted to TCEQ's Wastewater Permitting Section (MC-148) by March 31st of each year following sample collection.

(d) If sampling during any six month period is not conducted for a pollutant due to adverse weather conditions or drought in accordance with Part III, Section D.4. of this general permit, then the reported average annual result must be based on data collected for that year. If there is no rain during a given week, the permittee shall monitor and record a zero rainfall total or no rain for the week according to Part III.D.1.(c).

Part V. SPECIFIC REQUIREMENTS FOR INDUSTRIAL ACTIVITIES

The requirements in Part V of this general permit are sector specific and are in addition to the requirements in Parts III and IV of this general permit. Where co-located industrial activities occur (refer to Part II, Section A.4. of this general permit) the additional conditions and requirements in Part V of this general permit for each of these activities also apply.

Section A. Sector A of Industrial Activity - Timber Products Facilities

1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector A. Sector A industrial activities are described by the following Standard Industrial Classification (SIC) codes:

SECTOR A: TIMBER PRODUCTS

SIC Codes	*Description of Industry Sub-sector*
2411	Log Storage and Handling (without the use of chemical additives in spray water or applied to the logs)
2421	General Sawmills and Planning Mills
2426	Hardwood Dimension and Flooring Mills
2429	Special Product Sawmills, Not Elsewhere Classified
2431 – 2439	(except 2434) -Millwork, Veneer, Plywood, and Structural Wood (SIC Code 2434 - Wood Kitchen Cabinets, see Sector W)
2441 - 2449	Wood Containers
2451, 2452	Wood Buildings and Mobile Homes
2491	Wood Preserving
2493	Reconstituted Wood Products
2499	Wood Products Not Elsewhere Classified

(For detailed information about each SIC code, see Part II, Section A.1.b)

2. Definitions

(a) Debris. For the purposes of this section, debris is woody material such as bark, twigs, branches, heartwood, or sapwood that will not pass through a 2.54 centimeter (one-inch) diameter round opening and is present in the discharge from a wet storage facility.

(b) Wet decking water. Water that is intentionally sprayed or deposited onto logs or roundwood that are being stored on land.

3. Limitations on Permit Coverage

(a) Prohibition of Process Wastewater. This general permit does not authorize the discharge of wastewater resulting from the storage of logs or round wood before or after removal of bark in self-contained bodies of water (i.e., mill ponds or log ponds). Discharges from these activities must be authorized under an individual TPDES permit

or other authorized means, or must be disposed in a manner that does not constitute a discharge into or adjacent to water in the state.

(b) Prohibition of Stormwater from Wood Treatment Areas. This general permit does not authorize the discharge of stormwater that has come in contact with areas where chemical formulations designed to provide wood surface protection and wood preservation were sprayed. Stormwater discharges from these areas must either be captured within a containment structure and disposed of in a manner that does not constitute a discharge into or adjacent to water in the state or must discharged under authority of an individual TPDES permit or other authorized means.

4. Authorized Non-Stormwater Discharges

Wet Decking Water. In addition to the non-stormwater discharges allowed under Part II of this general permit, wet decking water may be discharged from lumber and wood storage yards where the wet decking process does not include chemical additives and where chemicals are not applied to the wood during storage.

5. Description of Potential Pollutants and Sources

(a) Inventory of Exposed Materials. Facilities that use or have previously used chlorophenolic compounds, creosote, chromium, copper, or arsenic formulations for the surface protection of wood or wood preserving activities must address these activities in the SWP3 according to the requirements of Part III, Section A.3. of this general permit. The following areas must be included in the inventory of exposed materials:

(1) areas where treatment chemicals have contaminated any soils;

(2) areas where any wood treatment equipment remains or is stored, including equipment that is no longer in use;

(3) areas where treatment chemicals and treated materials remain; and

(4) BMPs that are implemented to minimize these materials from coming into contact with stormwater.

(b) Site Map. The site map must include documentation of any of the following that may be exposed to stormwater: processing areas, treatment chemical storage areas, treated wood and residue storage areas, wet decking areas, dry decking areas, untreated wood and residue storage areas, and treatment equipment storage areas.

6. Pollution Prevention Measures and Controls

The SWP3 must include the following elements in addition to the requirements of Part III, Section A.4 and Part III, Section A.5. of this general permit:

(a) BMPs and good housekeeping measures must be implemented to limit the discharge of wood debris, minimize the leachate generated from decaying wood materials, and minimize the generation of dust.

(b) Structural controls may be used to limit the discharge of wood debris, minimize the leachate generated from decaying wood materials, and minimize the generation of dust.

(c) Facilities that conduct surface protection or preservation of wood products shall develop specific BMPs, including an implementation schedule, to reduce pollution in runoff from these areas of industrial activity.

(d) Periodic Inspections. Periodic inspections for facilities that conduct surface protection or preservation of wood products must include additional inspection procedures for processing areas, transport areas, and treated wood storage areas. The inspection procedures must provide an assessment of the effectiveness of BMPs in minimizing the amount of treatment chemicals that drip on unprotected soils and on other areas that come in contact with stormwater.

(1) Where feasible, the permittee shall conduct monthly inspections, in the same manner as developed for quarterly inspections. If monthly inspections are not feasible, then the permittee shall document the reason in the SWP3 and shall retain a minimum inspection frequency of once per quarter.

(2) The permittee shall conduct monthly inspections of wood treatment areas, treated wood storage areas, and treated wood transport loading and unloading areas to assess the effectiveness of specific BMPs and controls.

(3) Results and records of inspections must be evaluated, maintained, and incorporated into the standard periodic inspection reports as described in Part III, Section B., regardless of the frequency that the inspections are conducted.

(4) Follow-up procedures must be identified to ensure that appropriate actions are taken in response to the evaluations of the inspections.

7. Numeric Effluent Limitations Based on Federal Effluent Guidelines and Standards - Applicable to Sector A facilities discharging Wet Decking Water

(a) The following numeric effluent limitations, based on guidelines from the Wet Storage Subcategory (Subpart I) of the Timber Products Processing Point Source Category (40 CFR Part 429), apply to discharges of wet decking water. These discharges must not exceed the following numeric effluent limitations and monitoring requirements:

Table 4. Numeric Effluent Limitations for Sector A Facilities Discharging Wet Decking Water

Parameter	Limitation	Monitoring Frequency
Debris	No Discharge	1/Year
pH	6.0-9.0 S.U.	1/Year

(b) Sample Type. Grab samples must be collected for analyses prior to combining with other flows.

(c) Reporting Requirements. Monitoring for compliance with numeric effluent limitations in this section is subject to the following requirements:

(1) Results of monitoring must be recorded on a discharge monitoring report (DMR). The DMR must either be an original EPA No. 3320-1 form, a duplicate of the form, or as otherwise provided by the executive director.

(2) Monitoring must be conducted prior to December 31st for each annual monitoring period and the DMR must be submitted to the TCEQ's Information Resources Division, Central File Room (MC-213) and to the appropriate TCEQ Regional Office by March 31st of the following year, as described in Part III, Section E.6. of this permit.

In addition, a copy of the DMR must either be retained at the facility or must be made readily available for review upon request by authorized TCEQ personnel as

well as any local pollution control agency with jurisdiction by March 31st following the annual monitoring period.

8. Benchmark Monitoring Requirements

The following subsectors must conduct benchmark monitoring on discharges of stormwater associated with industrial activities according to the requirements in Part IV of this general permit.

Table 5. Benchmark Monitoring Requirements for Subsections in Sector A

SIC Code	Description of Industrial Activity	Benchmark Parameter	Benchmark Value
2421	General Sawmills and Planning Mills	COD TSS Zinc, total	60 mg/L 50 mg/L 0.16 mg/L
2491	Wood Preserving	Arsenic, total Copper, total	0.010 mg/L 0.030mg/L
2411	Log Storage and Handling (Wet deck storage areas where no chemical additives are used in the spray water or applied to the logs)	TSS	50 mg/L
2426, 2429, 2431-2439 (except 2434), 2441, 2448, 2449, 2451, 2452, 2493 and 2499	Hardwood Dimension and Flooring Mills; Special Products Sawmills, not elsewhere classified; Millwork, Veneer, Plywood, and Structural Wood; Wood Pallets and Skids; Wood Containers, not elsewhere classified; Wood Buildings and Mobile Homes; Reconstituted Wood Products; and Wood Products Facilities not elsewhere classified	COD TSS	60 mg/L 50 mg/L

Section B. Sector B of Industrial Activity - Paper and Allied Products Manufacturing Facilities

1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector B. Sector B industrial activities are described by the following SIC codes:

SECTOR B: PAPER AND ALLIED PRODUCTS

SIC Codes	*Description of Industry Sub-sector*
2611	Pulp Mills
2621	Paper Mills
2631	Paperboard Mills
2652 – 2657	Paperboard Containers and Boxes
2671 – 2679	Converted Paper and Paperboard Products, Including Plastic Bags Produced from Plastics Film

(For detailed information about each SIC code, see Part II, Section A.1.b)

2. Benchmark Monitoring Requirements

The following subsectors must conduct benchmark monitoring according to the requirements in Part IV of this general permit and must conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

Table 6. Benchmark Monitoring Requirements for Subsections in Sector B

SIC Code	Description of Industrial Activity	Benchmark Parameter	Benchmark Value
2631	Paperboard Mills	COD	60 mg/L

Section C. Sector C of Industrial Activity - Chemical and Allied Products Manufacturing Facilities

1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector C. Sector C industrial activities are described by the following SIC codes:

SECTOR C: CHEMICAL AND ALLIED PRODUCTS

SIC Codes	*Description of Industry Sub-sector*
2812 – 2819	Basic Industrial Inorganic Chemicals
2821 – 2824	Plastic Materials, Synthetic Resins, Non-vulcanizable Elastomers (Synthetic Rubber), Cellulose Plastics Materials, and Other Manmade Fibers Except Glass
2833 – 2836	Medicinal Chemicals and Botanical Products, Pharmaceutical Preparations, In Vitro and In Vivo Diagnostic Substances, Biological Products (Except Diagnostic Substances)
2841 – 2844	Soaps and Detergents; Specialty Cleaning, Polishing, and Sanitation Preparations, Surface Active Agents, Finishing Agents, Sulfonated Oils, and Assistants, Perfumes, Cosmetics, and Other Toilet Preparations
2851	Paints, Varnishes, Lacquers, Enamels, and Allied Products
2861 – 2869	Industrial Organic Chemicals

2873 – 2879 Agricultural Chemicals (Including Fertilizers, Pesticides, Fertilizers Solely from Leather Scraps and Leather Dust, and Mixing of Fertilizers, Compost, and Potting Soils)

2891 – 2899 Miscellaneous Chemical Products (Including Adhesives and Sealants, Explosives, Printing Ink, and Carbon Black)

2911 Petroleum Refineries

3952 (Limited to List)-Inks and Paints, including: China Painting Enamels, India Ink, Drawing Ink, Platinum Paints for Burnt Wood or Leather Work, Paints for China Painting; Artist's Paints, and Artist's Watercolors

(For detailed information about each SIC code, see Part II, Section A.1.b)

2. Limitations on Permit Coverage

(a) Prohibition of Contaminated Runoff from Petroleum Refineries. Discharges of stormwater from petroleum refineries subject to federal guidelines found at 40 CFR Part 419 are not authorized under this general permit and must be authorized by an individual TPDES wastewater discharge permit or other authorized means. This general permit only authorizes the discharge of non-process area stormwater runoff from petroleum refineries described by SIC code 2911 that are not subject to 40 CFR Part 419 guidelines.

(b) Prohibition of Non-Stormwater Discharges. Non-stormwater discharges are not eligible for coverage except according to the conditions of Part II, Section A.6. of this general permit. The following non-stormwater discharges are specifically prohibited under this section: discharges containing inks, paints, and other substances resulting from an onsite spill; contents from drip pans; wash-waters from material handling and processing areas; and wash waters/rinse-waters from drums, tanks, and other containers.

3. Pollution Prevention Measures and Controls/Management of Runoff with Structural Controls

The following requirements must be included in the SWP3 according to requirements of Part III, Sections A.4. and A.5. of this general permit:

(a) Security System. A security system must be developed to prevent accidental or intentional discharges by unauthorized individuals. The system may include fences, lights, traffic controls, building security, and equipment security.

(b) Practices for Material Handling and Storage Areas. Practices must be developed to conform to the following:

(1) Diking, curbing, berms, or other appropriate controls must be used in areas where liquid or powdered materials are stored to reduce the potential of contamination of stormwater from these materials.

(2) Curbs, culverts, gutters, sewers, or other forms of drainage control must be used to minimize contamination of stormwater in all other outside storage areas, including areas for machinery, scrap and construction materials, and pallets.

(3) Roofs, covers, or other types of protection must be used in all other outside storage areas to limit or prevent exposure of materials to precipitation or runoff.

(4) In areas where liquid or powdered materials are transferred in bulk from truck or rail cars, permittees shall develop and implement measures to minimize contact of materials with precipitation or runoff. Hose connection points at storage containers must be located within containment areas and drip pans or other measures must be used outside the containment area (e.g. at hose reels, connection points with rail cars, tank trucks) to prevent spills from contacting precipitation or runoff.

(5) In areas where materials are transferred as packaged materials, permittees shall consider providing appropriate protection such as overhangs or door skirts to enclose trailer ends at truck loading docks, or equivalent controls.

(6) Structures used to limit pollution at material handling and storage areas should control drainage through the use of manually operated valves or other similar positive control devices. Flapper-type gate valves are not allowed. Pumps may be used to empty containment areas, but pumps must not be automatically activated. If a facility is not engineered with such controls, the facility's separate storm sewer system should be equipped to prevent or divert a discharge of spilled materials until the materials can be recovered.

4. Numeric Effluent Limitations Based on Federal Effluent Limitations Guidelines - Applicable to Sector C facilities discharging stormwater from phosphate fertilizer manufacturing activities.

(a) The following numeric effluent limitations, based on guidelines from the Phosphate Subcategory (Subpart A) of the Fertilizer Manufacturing Point Source Category (40 CFR Part 418) apply to stormwater runoff that has come into contact with any raw materials, intermediate product, finished product, by-product or waste from areas of industrial activity described by SIC code 2874 (Phosphatic Fertilizers). These numeric effluent limits do not apply to other discharges covered under this section.

Samples of these discharges must be obtained before the runoff combines with other stormwater runoff. Discharges must not exceed the following numeric effluent limitations, and are subject to monitoring as follows:

Table 7. Numeric Effluent Limitations for Sector C Facilities Discharging from Phosphate Fertilizer Manufacturing Activities

Parameter	**Limitations Daily Avg***	**Limitations Daily Max**	**Monitoring Frequency**
Total Phosphorus (as P)	35 mg/L	105 mg/L	1/Year
Fluoride	25 mg/L	75 mg/L	1/Year

*The daily average limit only applies when two or more samples are collected during a calendar month.

(b) Sample Type. Grab samples must be collected for analyses prior to combining with other flows.

(c) Reporting Requirements. Monitoring for compliance with numeric effluent limitations in this section is subject to the following requirements:

(1) Results of monitoring must be recorded on a discharge monitoring report (DMR). The DMR must either be an original EPA No. 3320-1 form, a duplicate of the form, or as otherwise provided by the executive director.

(2) Monitoring must be conducted prior to December 31st for each annual monitoring period and the DMR must be submitted to the TCEQ's Information Resources Division, Central File Room (MC-213) and to the appropriate TCEQ Regional Office by March 31st of the following year, as described in Part III, Section E.6. of this permit.

(3) In addition, a copy of the DMR must either be retained at the facility or must be made readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction by March 31st following the annual monitoring period.

5. Benchmark Monitoring Requirements

The following subsectors must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

Table 8. Benchmark Monitoring Requirements for Subsections in Sector C

SIC Code	Description of Industrial Activity	Benchmark Parameter	Benchmark Value
2812-2819	Basic Industrial Inorganic Chemicals	Aluminum, total Iron, total Nitrate+Nitrite N TSS	1.2 mg/L 1.3 mg/L 0.68 mg/L 50 mg/L
2821-2824	Plastics, Synthetic Resins, Non-vulcanized Elastomers (Synthetic Rubber), Cellulose Plastics Materials, and Other Manmade Fibers Except Glass.	Zinc, total	0.16 mg/L
2841-2844	Soaps and Detergents; Specialty Cleaning, Polishing, and Sanitation Preparations; Surface Active Agents, Finishing Agents, Sulfonated Oils, and Assistants; Perfumes, Cosmetics, and Other Toilet Preparations	Nitrate + Nitrite N Zinc, total	0.68 mg/L 0.16 mg/L
2873-2879	Agricultural Chemicals (Including Fertilizers, Pesticides, Fertilizers Solely from Leather Scraps and Leather Dust, and Mixing of Fertilizers, Compost, and Potting Soils)	Nitrate + Nitrite N Lead, total Iron, total Zinc, total Phosphorus TSS	0.68 mg/L 0.010 mg/L 1.3 mg/L 0.16 mg/L 1.25 mg/L 50 mg/L

Section D. Sector D of Industrial Activity - Asphalt Paving and Roofing Materials and Lubricant Manufacturing Facilities

1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector D. Sector D industrial activities are described by the following SIC codes:

SECTOR D: ASPHALT PAVING AND ROOFING MATERIALS AND LUBRICANTS

SIC Codes	*Description of Industry Sub-sector*
2951, 2952	Asphalt Paving and Roofing Materials, Portable Asphalt Plants
2992, 2999	Miscellaneous Products of Petroleum and Coal Including Lubricating Oils and Greases

(For detailed information about each SIC code, see Part II, Section A.1.b)

2. Limitations on Permit Coverage

The following facilities are not eligible for coverage under this general permit:

(a) petroleum refining facilities, including those that manufacture asphalt or asphalt products, including facilities described by SIC 2911 (also see Sector C);

(b) oil recycling facilities; and

(c) fats and oils rendering facilities.

3. Pollution Prevention Measures and Controls

Periodic Inspections. Inspection procedures must be developed according to the standard periodic inspection requirements described in Part III, Section B.2. of this general permit and conducted at least once per month in the following areas:

(a) material storage and handling areas;

(b) areas containing liquid storage tanks, hoppers or silos;

(c) vehicle and equipment maintenance, cleaning, and fueling areas; and

(d) material handling, equipment storage, and processing areas.

Results of the inspections must be evaluated and records of inspections maintained. Follow-up procedures must be identified to ensure that appropriate actions are taken in response to the inspector's findings.

4. Numeric Effluent Limitations - Applicable to Sector D Facilities Discharging Stormwater from Asphalt Emulsion Manufacturing Production Areas

(a) The following numeric effluent limitations, based on guidelines from the Asphalt Emulsion Subcategory of the Paving and Roofing Materials (Tars and Asphalt) Manufacturing Point Source Category (40 CFR § 443.13) apply to all stormwater runoff from asphalt paving and roofing emulsion production areas. Samples of these discharges must be obtained before the runoff combines with stormwater runoff or other waste streams that may be covered under this permit. Samples must be analyzed as follows, and must not exceed the following numeric effluent limitations:

Table 9. Numeric Effluent Limitations for Sector D Facilities Discharging from Asphalt Emulsion Manufacturing Production Areas

Parameter	**Limitations Daily Avg***	**Limitations Daily Max**	**Monitoring Frequency**
TSS	15 mg/L	23 mg/L	1/Year
Oil and Grease	10 mg/L	15 mg/L	1/Year
pH	6.0-9.0 S.U.	6.0-9.0 S.U.	1/Year

*The daily average limit only applies when two or more samples are collected during a calendar month.

(b) Sample Type. Grab samples must be collected for analyses prior to combining with other flows.

(c) Reporting Requirements. Monitoring for compliance with numeric effluent limitations in this section is subject to the following requirements:

(1) Results of monitoring must be recorded on a discharge monitoring report (DMR). The DMR must either be an original EPA No. 3320-1 form, a duplicate of the form, or as otherwise provided by the executive director.

(2) Monitoring must be conducted prior to December 31st for each annual monitoring period and the DMR must be submitted to the TCEQ's Information Resources Division, Central File Room (MC-213) and to the appropriate TCEQ Regional Office by March 31st of the following year, as described in Part III Section D.3 of this permit.

(3) In addition, a copy of the DMR must either be retained at the facility or must be made readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction by March 31st, following the annual monitoring period.

5. Benchmark Monitoring Requirements

The following subsections must conduct benchmark monitoring on discharges of stormwater associated with industrial activities according to the requirements in Part IV of this general permit.

Table 10. Benchmark Monitoring Requirements for Subsections in Sector D

SIC Code	**Description of Industrial Activity**	**Benchmark Parameter**	**Benchmark Value**
2951, 2952	Asphalt Paving and Roofing Materials, Portable Asphalt Plants	TSS	50 mg/L

Section E. Sector E of Industrial Activity - Glass, Clay, Cement Concrete, and Gypsum Product Manufacturing Facilities

1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector E. Sector E industrial activities are described by the following SIC codes:

SECTOR E: GLASS, CLAY, CEMENT, CONCRETE, AND GYPSUM PRODUCTS

SIC Codes	*Description of Industry Sub-sector*
3211	Flat Glass
3221, 3229	Glass and Glassware, Pressed or Blown
3231	Glass Products Made of Purchased Glass
3241	Hydraulic Cement
3251 – 3259	Structural Clay Products
3261	Vitreous China Plumbing Fixtures and China Earthenware Fittings and Bathroom Accessories
3262 – 3269	Pottery and Related Products
3271 – 3275	Concrete, Lime, Gypsum and Plaster Products (includes Ready-Mix Concrete Plants)
3281	Cut Stone and Stone Products
3291	Abrasive Products
3292	Asbestos Products
3295	Minerals and Earths, Ground or Otherwise Treated
3296	Mineral Wool
3297	Non-Clay Refractories
3299	Nonmetallic Mineral Products, Not Elsewhere Classified

(For detailed information about each SIC code, see Part II, Section A.1.b)

2. Non-Stormwater Discharges

This section does not authorize the discharge of any additional wastestreams. Facilities are required to seek authorization to discharge or land apply process wastewater resulting from washing of trucks, mixers, transport buckets, concrete forms, and other equipment under a separate TPDES or TCEQ wastewater permit.

3. Pollution Prevention Measures and Controls

The following requirements must be included in the SWP3 according to requirements of Part III, Section A.4. of this general permit:

(a) Specific good housekeeping measures must be developed to minimize and prevent exposure of spilled cement, aggregate (including sand and gravel), kiln dust, fly ash, and other dust to precipitation or runoff.

(b) Wherever possible, fine solids such as cement, fly ash, and kiln dust must be stored in enclosed silos, hoppers, buildings or other structures to prevent exposure to precipitation or runoff.

(c) Sweeping or an equivalent control measure must be performed at least once each week in areas where cement, aggregate, kiln dust, fly ash, or settled dust are being handled or processed.

(d) Periodic Inspections. Inspection procedures must be developed according to the standard periodic inspection requirements described in Part III, Section B.2. of this general permit, but inspections must be conducted at least once per month.

4. Additional SWP3 Requirements

(a) The permittee shall document in the SWP3 the locations of the following, as applicable: bag house or other dust control device; recycle/sedimentation pond, clarifier, or other device used for the treatment of process wastewater; and the areas that drain to the treatment device.

(b) Non-stormwater discharge certification. In addition to the requirements in Part III, Section B.1 related to inspection and certification of non-stormwater discharges, the SWP3 must describe the measures that will ensure that process wastewaters resulting from washing trucks, mixers, transport buckets, forms, or other equipment are either discharged or disposed in accordance with state permitting requirements or are recycled.

5. Numeric Effluent Limitations

(a) The following numeric effluent limitations apply to discharges resulting from the runoff of rainfall which derives from the storage of materials, including raw materials, intermediate products, finished products, and waste materials, which are used in or derived from the manufacture of cement based on guidelines from the Materials Storage Piles Runoff Subcategory (Subpart C) of the Cement Manufacturing Point Source Category (40 CFR Part 411).

These effluent limitations do not apply to Sector E facilities that are not subject to federal guidelines at 40 CFR Part 411, related to Cement Manufacturing.

Samples of stormwater discharges from cement manufacturing facilities subject to these effluent limits must be obtained before the runoff combines with other discharges that are covered under this permit. The samples must be analyzed at the frequency described below and must not exceed the following numeric effluent limitations:

Table 11. Effluent Limitations for Sector E Facilities Manufacturing Cement

Parameter	Limitations Daily Max	Monitoring Frequency
TSS	50 mg/L	1/Year
pH	6.0-9.0 S.U.	1/Year

(b) Sample Type. Grab samples must be collected for analyses prior to combining with other flows.

(c) Reporting Requirements. Monitoring for compliance with numeric effluent limitations in this section is subject to the following requirements:

(1) Results of monitoring must be recorded on a discharge monitoring report (DMR). The DMR must either be an original EPA No. 3320-1 form, a duplicate of the form, or as otherwise provided by the executive director.

(2) Monitoring must be conducted prior to December 31st for each annual monitoring period and the DMR must be submitted to the TCEQ's Information Resources Division, Central File Room (MC-213) and to the appropriate TCEQ Regional Office by March 31st of the following year, as described in Part III, Section E.6. of this permit.

(3) In addition, a copy of the DMR must either be retained at the facility or must be made readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction by March 31st following the annual monitoring period.

(d) Waiver from Numeric Effluent Limitations. Any untreated overflow from facilities designed, constructed, and operated to treat the volume of runoff from materials storage piles that is associated with a 10-year, 24-hour rainfall event will not be subject to the pH and TSS limitations in this section.

Rainfall records are required to document events that equal or exceed a 10-year 24-hour event. The operator shall maintain, as a part of the SWP3, the following information in order to receive this waiver:

(1) engineering design records that demonstrate structural controls are adequate to intercept, contain, and treat the volume of runoff from a 10-year, 24-hour storm event; and

(2) records of rainfall from a either a rain gauge that is located onsite or a rain gauge maintained in the immediate area of the facility.

6. Benchmark Monitoring Requirements

The following subsections must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

Table 12. Benchmark Monitoring Requirements for Subsections in Sector E

SIC Code	Description of Industrial Activity	Benchmark Parameter	Benchmark Value
3251-3259	Structural Clay Products	Aluminum, total TSS pH	1.2 mg/L 50 mg/L 6.0-9.0 S. U.
3262-3269	Pottery and Related Products	Aluminum, total TSS pH	1.2 mg/L 100 mg/L 6.0-9.0 S.U.
3271-3275	Concrete, Lime, Gypsum and Plaster Products	TSS Iron, total pH	50 mg/L 1.3 mg/L 6.0-9.0 S.U.

Section F. Sector F of Industrial Activity - Primary Metals Facilities

1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector F. Sector F industrial activities are described by the following SIC codes:

SECTOR F: PRIMARY METALS

SIC Codes	*Descriptions of Industry Sub-sector*
3312 – 3317	Steel Works, Blast Furnaces, and Rolling and Finishing Mills
3321 – 3325	Iron and Steel Foundries
3331 – 3339	Primary Smelting and Refining of Nonferrous Metals
3341	Secondary Smelting and Refining of Nonferrous Metals
3351 – 3357	Rolling, Drawing, and Extruding of Nonferrous Metals
3363 – 3369	Nonferrous Foundries (Castings)
3398, 3399	Miscellaneous Primary Metal Products

(For detailed information about each SIC code, see Part II, Section A.1.b)

2. Description of Potential Pollutants and Sources

The inventory of exposed materials must include areas where material handling and air emissions may result in deposits of particulate matter.

3. Pollution Prevention Measures and Controls

(a) Good Housekeeping Measures. This section of the SWP3 must include a program for cleaning and maintaining all impervious areas of the facility where dust, debris, or other particulate matter may accumulate, especially areas where material loading/unloading, storage, handling and processing occur. Areas where materials are stored, or where there is vehicular traffic, should be paved if vegetative and other stabilization methods are not practical. For areas where paving and vegetative measures are not practical, structural controls must be developed to trap and limit transport of sediment offsite. Sediment traps, filter fabric fences, and other equivalent measures may be considered.

(b) Drainage Area Site Map. The map must identify any of the following activities that may be exposed to stormwater: storage or disposal of wastes such as spent solvents and baths, sand, slag and dross; liquid storage tanks and drums; processing areas including pollution control equipment (e.g., baghouses); and storage areas of raw material such as coal, coke, scrap, sand, fluxes, refractories, or metal in any form. In addition, indicate where an accumulation of significant amounts of particulate matter could occur from such sources as furnace or oven emissions, or losses from coal and coke handling operations.

(c) Periodic Inspections. The periodic inspections must specifically include areas of the facility that contain air pollution control equipment, such as bag houses, electrostatic precipitators, cyclones, and scrubbers for signs of degradation or improper operation. Process material handling equipment must be inspected for leaks and problems that

may result in material loss and spills. Material storage areas, such as piles or bins that contain coal, scrap, and slag, must be inspected for material loss due to wind and precipitation or runoff.

4. Benchmark Monitoring Requirements

The following subsections must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

Table 13. Benchmark Monitoring Requirements for Subsections in Sector F

SIC Code	Description of Industrial Activity	Benchmark Parameter	Benchmark Value
3312-3317	Steel Works, Blast Furnaces, and Rolling and Finishing Mills	Aluminum, total Zinc, total TSS	1.2 mg/L 0.16 mg/L 100 mg/L
3321-3325	Iron and Steel Foundries	Aluminum, total TSS Copper, total Iron, total Zinc, total	1.2 mg/L 50 mg/L 0.030 mg/L 1.3 mg/L 0.16 mg/L
3351-3357	Rolling, Drawing, and Extruding of Nonferrous Metals	Copper, total Zinc, total	0.030 mg/L 0.16 mg/L
3363-3369	Nonferrous Foundries (Castings)	Copper, total Zinc, total	0.030 mg/L 0.16 mg/L

Section G. Sector G of Industrial Activity - Metal Mining (Ore Mining and Dressing)

1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector G. Sector G industrial activities are described by the following SIC codes:

SECTOR G: METAL MINING (ORE MINING AND DRESSING)

SIC Codes	*Descriptions of Industry Sub-sector*
1011	Iron Ores
1021	Copper Ores
1031	Lead and Zinc Ores
1041, 1044	Gold and Silver Ores
1061	Ferro alloy Ores, Except Vanadium
1081	Metal Mining Services
1094, 1099	Miscellaneous Metal Ores

(For detailed information about each SIC code, see Part II, Section A.1.b)

2. Covered Stormwater Discharges

The requirements in this section apply to stormwater from metal mining facilities, including mines abandoned on federal lands, as identified by the SIC codes specified the table above. Coverage is required for metal mining facilities that discharge stormwater contaminated by contact with, or that has come into contact with, any overburden, raw material, intermediate product, finished product, byproduct, or waste product.

(a) The stormwater discharges covered under this permit include all stormwater discharges from inactive facilities and stormwater discharges from facilities undergoing reclamation.

(b) Stormwater discharges from the following areas of active and temporarily inactive facilities areas are authorized under this general permit:

(1) waste rock and overburden piles, if composed entirely of stormwater and not combined with mine drainage;

(2) topsoil piles;

(3) haul and access roads:

a. all off site roads;

b. onsite haul and access roads constructed of waste rock, overburden, or spent ore if composed entirely of stormwater and not combining with mine drainage; and

c. onsite haul and access roads not constructed of waste rock, overburden, or spent ore, unless mine drainage is used for dust control.

(4) runoff from tailings dams or dikes that are:

a. not constructed of waste rock or tailings, provided no process fluids are present; or

b. constructed of waste rock or tailings and no process fluids are present, if composed entirely of stormwater and not combining with mine drainage.

(5) concentration building if no contact with material piles;

(6) mill site if no contact with material piles;

(7) office or administrative building and housing if mixed with stormwater from industrial area;

(8) chemical storage;

(9) docking facility if no excessive contact with waste product that would otherwise constitute mine drainage;

(10) explosives storage;

(11) fuel storage;

(12) vehicle and equipment maintenance;

(13) parking areas, if necessary;

(14) power plant, except that steam electric power plants are regulated as collocated activities in Part V, Section O;

(15) truck wash areas (if no excessive contact with waste product that would otherwise constitute mine drainage);

(16) un-reclaimed, disturbed areas outside of the active mining area(s);

(17) reclaimed areas released from reclamation requirements prior to December 17, 1990; and

(18) partially or inadequately reclaimed areas or areas not meeting reclamation requirements.

3. Definitions

The following definitions apply only to Section G of this general permit:

Active metal mining facility. A place where work or other activity related to the extraction, removal, or recovery of metal ore is being conducted. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of "active mining area" found at 40 CFR §440.132(a).

Active phase. Activities including the extraction, removal or recovery of metal ore. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of "active mining area" found at 40 CFR §440.132(a). The active phase is considered part of "mining operations."

Exploration phase. Entails exploration and land disturbance activities to determine the viability of a site. The exploration phase is not considered part of "mining operations."

Final Stabilization. All soil disturbing activities at the site have been completed and a uniform (e.g. evenly distributed, without large bare areas) perennial vegetative cover with a density of 70% of the native background vegetative cover for the area has been established on all unpaved areas and areas not covered by permanent structures, or equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed. Alternatively, for arid, semi-arid, and drought stricken areas only, final stabilization means that all soil disturbing activities at the site have been completed and both of the following criteria have been met: temporary erosion control measures are selected, designed, and installed along with an appropriate seed base to provide erosion control for at least three years without active maintenance by the operator; and the temporary erosion control measures are selected, designed, and installed to achieve 70% vegetative coverage within three years.

Inactive metal mining facility. A site or portion of a site with an identifiable operator, where metal mining or milling occurred in the past but is not an active facility as defined above, where the inactive portion is not covered by an active mining permit, and where the reclamation phase has not been completed.

Mining operations. Consists of the active mining, inactive mining, temporarily inactive mining, and reclamation phases, but excludes the exploration and construction phases.

Reclamation phase. Activities undertaken to return the land to an appropriate post-mining land use prior to termination of permit coverage.

Temporarily inactive metal mining facility. A site or portion of a site where metal mining or milling occurred in the past and is not currently being actively undertaken, and where the facility is covered by an active mining permit.

4. Limitations on Permit Coverage

(a) Prohibition on Certain Stormwater Discharges. Discharges from active metal mining facilities that are subject to effluent limitation guidelines for the Ore Mining and Dressing Point Source Category (40 CFR Part 440) are not authorized under this general permit.

Stormwater from active metal mining facilities is only subject to 40 CFR Part 440 (and therefore not eligible for coverage under this permit) if it commingles with other discharges that are subject to 40 CFR Part 440. Discharges from overburden/waste rock and overburden/waste rock-related areas are not subject to 40 CFR Part 440 unless they:

(1) drain naturally (or are intentionally diverted) to a point source; and

(2) combine with "mine drainage" that is otherwise regulated under the 40 CFR Part 440.

Such sources may obtain coverage under this general permit if the discharge is composed entirely of stormwater, does not commingle with other sources of mine drainage that are not subject to 40 CFR Part 440, and meets the other eligibility criteria contained in the general permit.

(b) Prohibition on Non-Stormwater Discharges. The following discharges are not authorized by this general permit: process generated wastewater, including but not limited to truck wash water, adit drainage (e.g., drainage from mine passageways or tunnels), contaminated springs, and seeps discharging from waste rock dumps that do not directly result from precipitation events from active, temporarily inactive, and inactive mines.

(c) Authorization Not Required. Stormwater from sites where mining claims are being maintained prior to disturbances associated with the extraction, beneficiation, or processing of mined materials and sites where minimal activities are undertaken for the sole purpose of maintaining a mining claim are not considered either active or inactive mining facilities and do not require authorization.

5. Additional SWP3 Requirements

In addition to the requirements of Part III, Section A of this general permit, the following is required:

(a) Inventory of Exposed Materials. This section of the SWP3 must contain a summary of any existing ore, waste rock, and overburden characterization data. The summary must include results of all testing for acid rock generation potential. The inventory and the SWP3 must be updated if the characterization is updated due to a change in the type of ore mined. For inactive metal mining facilities the inventory must identify any significant materials that remain at the facility and include any available characterization data of the material.

(b) Narrative Description. For inactive metal mining facilities, this section of the SWP3 must include a description of the mining and associated activities that took place at the site. The description must define the dates of operation, total acreage within the mine, total acreage within the processing area, an estimate of the acres of remaining disturbed area, and any current activities at the site (e.g. reclamation).

(c) Site Map. A topographic site map (or maps) must be developed to indicate mining or milling site boundaries; access and haul roads; equipment storage, fueling, and

maintenance areas; an outline of the overburden, materials, soils, tailings or wastes storage areas; points of discharge from the property of mine drainage or any other process wastewater, a depiction of the discharge route, and a listing of the type of wastewater; location of existing and proposed tailings piles and ponds; heap leach pads; locations of springs, streams, wetlands, and other surface waters; and boundaries of tributary areas that are subject to effluent limitations and guidelines for the Ore Mining and Dressing Point Source Category (40 CFR Part 440).

(d) Management of Runoff with Structural Controls. The elimination of a contaminant source through capping of the source may be the most effective control measure. Where capping is used, the source being capped must be identified and the materials and procedures used to cap the source must be described within the SWP3.

(e) Inactive and Unstaffed Sites. Subject to the following conditions, if the facility is inactive and unstaffed, the permittee is not required to conduct quarterly visual assessments and routine facility inspections. Waivers are not given for exception from conducting the comprehensive site inspection. Permittees are encouraged to inspect their site more frequently where there is reason to believe that severe weather or natural disasters may have damaged control measures or increased discharges.

(1) If circumstances change and the facility becomes active or staffed, this exception no longer applies and the permittee must immediately begin complying with the quarterly visual assessment requirements; and

(2) The TCEQ retains the authority to revoke this exemption or the monitoring waiver where it is determined that the discharge causes, has a reasonable potential to cause, or contributes to an instream excursion above an applicable water quality standard, including designated uses.

6. Benchmark Monitoring Requirements

(a) Active copper ore mining or dressing facilities must conduct benchmark monitoring according to the standard benchmark monitoring requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

Table 14. Benchmark Monitoring Requirements for Sector G

SIC Code	Description of Industrial Activity	Benchmark Parameter	Benchmark Value
1021	Copper Ores	COD TSS Nitrate + Nitrite N	60 mg/L 100 mg/L 0.68 mg/L

(b) All stormwater discharges from waste rock and overburden piles, resulting from active ore mining or dressing operations included in Sector G, must collect one benchmark monitoring sample according to the requirements in Part IV of this general permit for the following pollutants. For parameters measured above the benchmark value, monitoring must be continued throughout the term of the permit.

Table 15. Benchmark Monitoring Requirements for Sector G

SIC Codes and Description of Industrial Activity	Parameter	Benchmark Monitoring Cutoff Concentration
1011- Iron Ores; 1021- Copper Ores; 1031- Lead and Zinc Ores; 1041, 1044 - Gold and Silver Ores; 1061- Ferroalloy Ores, Except Vanadium; 1081- Metal Mining Services 1094, 1099 - Miscellaneous Metal Ores	TSS Turbidity pH Total Antimony Total Arsenic Total Beryllium Total Cadmium Total Copper Total Iron Total Lead Total Manganese Total Mercury Total Nickel Total Selenium Total Silver Total Zinc	100 mg/L 5 NTUs above background 6.0-9.0 S.U. 0.636 mg/L 0.17 mg/ L 0.13 mg/L 0.0010 mg/ L 0.030 mg/ L 1.3 mg/L 0.010 mg/ L 1.0 mg/L 0.0019 mg/L 1.417 mg/L 0.05 mg/L 0.0318 mg/L 0.16 mg/L

(c) In addition to other required monitoring for discharges from waste rock and overburden piles, the permittee shall also conduct monitoring for additional pollutants as follows based on the type of ore mined at the site. Where a pollutant in the table below is the same as a pollutant required to be monitored in the table above (i.e., for all of the metals) the permittee shall use the corresponding benchmark value from the table above; otherwise, no benchmark levels apply.

The monitoring results conducted for the benchmark monitoring requirements for discharges from Waste Rock and Overburden Piles at active Metal Mining Facilities (section above) may be used to satisfy the monitoring requirement for the pollutant for this section. There are no applicable benchmarks for Radium and uranium in the table above. The frequency and schedule for monitoring the additional parameters, in the table below, is the same as that specified in Part IV of this permit.

Additional Monitoring Requirements for Discharges from Waste Rock and Overburden Piles.

Table 16. Requirements for Waste Rocks and Overburden Piles

Type of Ore Mined	Parameter
Tungsten Ore	pH, TSS, Total Arsenic, Total Cadmium, Total Copper, Total Lead, Total Zinc
Nickel Ore	pH, TSS, Total Arsenic, Total Cadmium, Total Copper, Total Lead Total Zinc
Aluminum Ore	pH, TSS, Total Iron
Mercury Ore	pH, TSS, Total Nickel
Iron Ore	pH, TSS, Dissolved Iron
Platinum Ore	Total Cadmium, Total Copper, Total Mercury, Total Lead, Total Zinc

Type of Ore Mined	Parameter
Titanium Ore	pH, TSS, Total Iron, Total Nickel, Total Zinc
Vanadium Ore	pH, TSS, Total Arsenic, Total Cadmium, Total Copper, Total Lead, Total Zinc
Molybdenum	pH, TSS, Total Arsenic, Total Cadmium, Total Copper, Total Lead, Total Mercury, Total Zinc
Uranium, Radium, and Vanadium Ore	pH, TSS, Chemical Oxygen Demand, Total Arsenic, Total Radium, Dissolved Radium, Total Uranium, Total Zinc

7. Termination of Permit Coverage

(a) Termination of Permit Coverage for Sites Reclaimed After December 17, 1990.

A site or a portion of a site that has been released from applicable state or federal reclamation requirements after December 17, 1990, is no longer required to maintain coverage under this permit. If the site or portion of a site reclaimed after December 17, 1990, was not subject to reclamation requirements, the site or portion of the site is no longer required to maintain coverage under this permit if the site or portion of the site has been reclaimed as defined above in section 3.

(b) Termination of Permit Coverage for Sites Reclaimed Before December 17, 1990.

A site or portion of a site that was released from applicable state or federal reclamation requirements before December 17, 1990, or that was otherwise reclaimed before December 17, 1990, is no longer required to maintain coverage under this permit if the site or portion of the site has been reclaimed. A site or portion of a site is considered to have been reclaimed if:

(1) stormwater runoff that comes into contact with raw materials, intermediate byproducts, finished products, and waste products does not have the potential to cause or contribute to violations of state water quality standards;

(2) soil disturbing activities related to mining at the sites or portion of the site have been completed;

(3) the site or portion of the site has been stabilized to minimize soil erosion; and

(4) as appropriate depending on location, size, and the potential to contribute pollutants to stormwater discharges, the site or portion of the site has been re-vegetated, will be amenable to natural re-vegetation, or will be left in a condition consistent with the post-mining land use.

Section H. Sector H of Industrial Activity - Coal Mines and Coal Mining Related Facilities

1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector H. Sector H industrial activities are described by the following SIC codes:

SECTOR H: COAL MINES AND COAL MINING RELATED FACILITIES

SIC Codes	*Description of Industry Sub-sector*
1221	Bituminous Coal and Lignite Surface Mining
1222	Bituminous Coal Underground Mining
1231	Anthracite Mining
1241	Coal Mining Services

(For detailed information about each SIC code, see Part II, Section A.1.b)

2. Covered Stormwater Discharges

The requirements of Section H apply to stormwater discharges from the following areas of facilities identified by the SIC Codes specified in the table above, except that discharges regulated under 40 CFR Part 434 are not covered under this permit:

(a) haul roads;

(b) access roads;

(c) railroad spurs, sidings, and internal lines used to transport coal;

(d) areas around conveyor belts, chutes, and trams that convey coal;

(e) equipment storage and maintenance areas;

(f) coal handling areas, including buildings and structures;

(g) waste disposal areas;

(h) inactive coal mines where the performance bond has been released; and

(i) related areas where coal mining/processing activities take place.

3. Definitions

The following definitions apply only to Section H of this general permit:

Active coal mining facility. A place where work or other activity related to the extraction, removal, or recovery of coal is being conducted. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of "active mining area" found at 40 CFR §434.11(b).

Active phase. Activities including the extraction, removal or recovery of coal. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of "active mining area" found at 40 CFR §434.11(b). The active phase is considered part of "mining operations."

Bond Release. The time at which the appropriate regulatory authority returns a reclamation or performance bond based upon its determination that reclamation work (including, in the case of underground mines, mine sealing and abandonment procedures) has been satisfactorily completed. Phase Two completion is that point in the reclamation process where the property has been re-contoured and replanted but prior to final bond release.

Exploration phase. Entails exploration and land disturbance activities to determine the viability of a site. The exploration phase is not considered part of "mining operations."

Final Stabilization. All soil disturbing activities at the site have been completed and a uniform (e.g. evenly distributed, without large bare areas) perennial vegetative cover with a density of 70 percent (%) of the native background vegetative cover for the area has been established on all unpaved areas and areas not covered by permanent structures, or equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed. Alternatively, for arid, semi-arid, and drought stricken areas only, final stabilization means that all soil disturbing activities at the site have been completed and both of the following criteria have been met: Temporary erosion control measures are selected, designed, and installed along with an appropriate seed base to provide erosion control for at least three years without active maintenance by the operator; and The temporary erosion control measures are selected, designed, and installed to achieve 70 % vegetative coverage within three years.

Inactive coal mining facility. A site or portion of a site, with an identifiable operator, where coal mining or milling occurred in the past but is not an active facility as defined above, where the inactive portion is not covered by an active mining permit and where the reclamation has not been completed.

Mining operation. Consists of the active and temporarily inactive phases, and the reclamation phase, but excludes the exploration and construction phases.

Reclamation phase. Activities undertaken to return the land to an appropriate post-mining land use prior to termination of permit coverage.

Temporarily inactive coal mining facility. A site or portion of a site where coal mining or milling occurred in the past but is not an active facility as defined above, where the inactive portion is not covered by an active mining permit, and where the reclamation phase has not been completed.

4. Limitations on Permit Coverage

The following discharges are not eligible for coverage under this general permit:

(a) discharges from coal mining activities subject to effluent limitation guidelines for the Coal Mining Point Source Category (40 CFR Part 434);

(b) seeps and underground drainage from inactive coal mines and refuse disposal areas that may constitute dry-weather flows and do not occur as a direct result of precipitation or runoff; and

(c) discharges from floor drains in maintenance buildings and similar drains in mining and preparation plant areas.

Reclaimed areas of a mine, where the performance bond has been released, are no longer considered industrial activity. Stormwater discharges from those areas are not required to be authorized under the TPDES program.

5. Additional SWP3 Requirements

The following requirements apply to all Sector H facilities:

(a) Site Map. Document where any of the following that are covered under this general permit and that may be exposed to stormwater: haul and access roads; railroad spurs, sliding, and internal hauling lines; conveyor belts, chutes, and aerial tramways; equipment storage and maintenance yards; coal handling buildings and structures;

inactive mines and related areas; acidic spoil, refuse, or un-reclaimed disturbed areas; and liquid storage tanks containing pollutants such as caustics, hydraulic fluids, and lubricants.

(b) Potential Pollutant Sources.

(1) The SWP3 must document the following sources and activities that have potential pollutants associated with them:

a. truck traffic on haul roads and resulting generation of sediment subject to runoff and dust generation;

b. fuel or other liquid storage; pressure lines containing slurry, hydraulic fluid, or other potential harmful liquids; and loading or temporary storage of acidic refuse or spoil.

(2) In the summary of potential pollutant sources, the SWP3 must document areas at the facility where industrial materials or activities are exposed to stormwater and from which allowable non-stormwater discharges are released.

For each area identified, the description must include:

a. a list of the industrial activities exposed to stormwater;

b. a list of the pollutant(s) or pollutant constituents (e.g., crankcase oil, zinc, sulfuric acid, and cleaning solvents) associated with each identified activity, that includes all significant materials that have been handled, treated, stored, or disposed, and that have been exposed to stormwater in the 3 years prior to the date that the SWP3 was prepared or amended;

c. a list of the areas at the site where potential spills and leaks could occur that could contribute pollutants to stormwater, and the corresponding outfall(s) that would be affected by such spills and leaks. All significant spills and leaks of oil or toxic or hazardous pollutants that actually occurred at exposed areas, or that drained to a stormwater conveyance, in the 3 years prior to the date that the SWP3 was prepared or amended, must be documented; and

d. The location of any storage piles containing salt used for deicing or other commercial or industrial purposes.

(c) Erosion Control Measures. Erosion, siltation, dust, and other pollutant control regulations administered by the Railroad Commission of Texas or TCEQ must either be included as components of this section of the SWP3, or incorporated by reference. The permittee shall minimize disturbed areas and preserve vegetated areas to the maximum extent practicable. The SWP3 must include the following at a minimum:

(1) Stabilization Measures. Temporary and permanent stabilization measures must be employed to minimize erosion. These may include: maintaining existing native vegetative cover; seeding for temporary or permanent cover; temporary mulching, matting, or netting; sodding; soil binding; using non-acid material for road surfacing; planting trees; and preserving existing trees.

(2) Structural Measures. Such as silt fences; earthen dikes; straw bales; graded terraces; pipe slope drains; porous rock check drains; sedimentation ponds; vegetated drainage swales; capping of contaminant sources; and physical or chemical treatment of stormwater.

(d) Preventive Maintenance. Perform inspections or other equivalent measures of storage tanks and pressure lines of fuels, lubricants, hydraulic fluid, and slurry to prevent leaks

due to deterioration or faulty connections. Operators must regularly inspect, test, maintain, and repair all industrial equipment and systems to avoid situations that may result in leaks, spills, and other releases of pollutants in stormwater discharged to receiving waters.

(e) Additional Inspection Requirements

(1) Inspections of Active Mining-Related Areas. Except for areas of the site subject to clearing, grading, or excavation activities conducted as part of the exploration and construction phase, the permittee shall perform quarterly inspections of active mining areas covered by this permit.

(2) Comprehensive site inspections must be conducted by qualified personnel with at least one member of the stormwater pollution prevention team participating in the comprehensive site inspections. Comprehensive site inspections must cover all areas of the facility affected by the requirements in this permit, including the areas identified in the SWP3 as potential pollutant sources where industrial materials or activities are exposed to stormwater and areas where spills and leaks have occurred in the past 3 years. The inspections must also include a review of monitoring data collected in accordance with this permit.

6. Benchmark Monitoring Requirements

The following subsections must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

Table 17. Benchmark Monitoring Requirements for Subsections in Sector H

SIC Code	Description of Industrial Activity	Benchmark Parameter	Benchmark Value
1221-1241	Coal Mines and Coal Mining-Related Facilities	TSS Aluminum, total Iron, total	50 mg/L 1.2 mg/L 1.3 mg/L

7. Inactive and Unstaffed Sites

If the permittee operates an inactive and unstaffed Sector H facility (including temporarily inactive and unstaffed sites), the permittee may waive the routine inspection, quarterly visual assessment and benchmark monitoring requirements. The permittee is conditionally exempt from the requirement to certify that there are no industrial materials or activities exposed to stormwater, provided that all of the following conditions are met:

(a) if circumstances change and the facility becomes active or staffed, this exemption no longer applies and the operator must immediately begin complying with the applicable benchmark monitoring requirements as if they were in their first year of permit coverage, as well as the quarterly visual assessment requirements; and

(b) the discharge does not cause, have a reasonable potential to cause, or contribute to a violation of applicable water quality standards.

Subject to the two conditions above, if a Sector H facility is inactive and unstaffed, the operator is waived from the requirement to conduct quarterly visual assessments and routine facility inspections. Inactive industrial facilities must continue to conduct comprehensive site compliance inspections on at least an annual basis as described in Part III, Section B.5 of this permit. Inactive Sector H facilities may not obtain a waiver from comprehensive site compliance inspections.

8. Termination of Permit Coverage

(a) Termination of Permit Coverage for Sites Reclaimed After December 17, 1990. A site or a portion of a site that has been released from applicable state or federal reclamation requirements after December 17, 1990, is no longer required to maintain coverage under this permit. If the site or portion of a site reclaimed after December 17, 1990, was not subject to reclamation requirements, the site or portion of the site is no longer required to maintain coverage under this permit if the site or portion of the site has been reclaimed as defined in the following:

(b) Termination of Permit Coverage for Sites Reclaimed Before December 17, 1990. A site or portion of a site that was released from applicable state or federal reclamation requirements before December 17, 1990, or that was otherwise reclaimed before December 17, 1990, is no longer required to maintain coverage under this permit if the site or portion of the site has been reclaimed. A site or portion of a site is considered to have been reclaimed if:

(1) stormwater runoff that comes into contact with raw materials, intermediate byproducts, finished products, and waste products does not have the potential to cause or contribute to violations of state water quality standards;

(2) soil disturbing activities related to mining at the sites or portion of the site have been completed;

(3) the site or portion of the site has been stabilized to minimize soil erosion; and

(4) as appropriate depending on location, size, and the potential to contribute pollutants to stormwater discharges, the site or portion of the site has been re-vegetated, will be amenable to natural re-vegetation, or will be left in a condition consistent with the post-mining land use.

Section I. Sector I of Industrial Activity - Oil and Gas Extraction Facilities

1. Description of Industrial Activity

Sector I facilities include facilities with activities directly related to oil and gas exploration, production, processing, or treatment operations; oil and gas transmission facilities prior to refining; and to oil and gas field service operations.

SECTOR I: OIL AND GAS EXTRACTION FACILITIES

SIC Codes	*Description of Industry Sub-sector*
Industrial Activities Regulated under the EPA's NPDES Program:	
1311	Crude Petroleum and Natural Gas
1321	Natural Gas Liquids
1381, 1382	Drilling Oil and Gas Wells; and Oil and Gas Field Exploration Services
1389	Oil and Gas Field Services, Not Elsewhere Classified, that occur in the field (excluding oil field service company operations noted below.)
Industrial Activities Regulated under this General Permit:	
1389	Oil and Gas Field Services, Not Elsewhere Classified, at a company headquarters, local offices, or at oil field service company "home base" that

conduct only administrative and support activities for oil and gas field services that occur in the field.

(For detailed information about each SIC code, see Part II, Section A.1.b)

2. Covered Stormwater Discharges

(a) Agency Jurisdiction. The requirements in Subpart I apply to stormwater discharges associated with industrial activity from oil and gas extraction facilities that are under the jurisdiction of the TCEQ, as identified by the SIC Codes specified in the table above. Specifically, this general permit only provides coverage for facilities described by SIC Code 1389 that occur at the service company headquarters, permanent offices, or similar bases of operations where this industrial activity may occur. This may include non-contiguous facilities, but excludes all activities that occur at a well site or that are regulated by the U.S. EPA or the Texas Railroad Commission.

All of the other facilities with SIC codes listed above are not under the jurisdiction of the TCEQ and must obtain stormwater permit coverage from the U.S. EPA or the Texas Railroad Commission (RRC) as applicable.

(b) Contaminated Stormwater. Facilities that are regulated under this general permit are only required to obtain permit coverage for contaminated stormwater. For the purposes of this section, contaminated stormwater is defined as stormwater runoff from a facility described by SIC Code 1389 that functions as a company headquarters, permanent office, or similar base of operations, and that has had one or more releases of a reportable quantity in stormwater for which notification has been required any time since November 16, 1987. For reportable quantity rules, see 30 TAC 327.

3. Limitations on Permit Coverage

(a) Non-contaminated Stormwater. Facilities regulated under this general permit are not required to obtain authorization if the facility has not had a release of a reportable quantity in stormwater for which notification has been required any time since November 16, 1987.

(b) Stormwater Regulated by U.S. EPA.

(1) Coverage under this general permit is limited to oil and gas field service companies described by SIC code 1389 that occur at the company headquarters, permanent office, or similar base of operations. The requirements of this general permit are specific to those operations. Any facility described by an SIC code listed in the table above that is not covered by the TCEQ must obtain coverage as required from the U.S. EPA and the Texas RRC.

(2) General permit coverage for other stormwater discharges associated with industrial activity described by Sector I are not eligible for coverage under this general permit, and coverage must be obtained, as required, from the U.S. EPA and / or the Texas RRC.

(c) Wash Water. Discharges of vehicle and equipment wash water, including tank cleaning operations, are not authorized by this permit and such wash water discharges must be authorized under a separate TPDES permit, discharged to a sanitary sewer in accordance with applicable requirements, or disposed by an alternate authorized means.

4. Additional SWP3 Requirements

(a) Drainage Area Site Map. The SWP3 must include the following information, in addition to what is required in Part III of this permit: location(s) of any reportable quantity (RQ) releases; locations used for the treatment, storage, or disposal of wastes; processing areas and storage areas; and chemical mixing areas.

(b) Potential Pollutant Sources. The SWP3 must document the following sources and activities, in addition to those already required in Part III of this general permit:

(1) chemical, cement, mud, or gel mixing activities,

(2) equipment cleaning and rehabilitation activities,

(3) information about the reportable quantity (RQ) release(s) that triggered the permit application requirements:

a. nature of the release (e.g., spill of oil from a drum storage area),

b. amount of oil or hazardous substance released,

c. amount of substance recovered,

d. date of the release,

e. cause of the release,

f. area(s) affected by the release,

g. procedure to clean up release,

h. actions or procedures implemented to prevent or improve response to a release, and

i. remaining potential contamination of stormwater from release.

(4) A "Summary of Potential Pollutant Sources." The permittee shall document areas at their facility where industrial materials or activities are exposed to stormwater and from which allowable non-stormwater discharges are released.

Section J. Sector J of Industrial Activity - Mineral Mining and Processing Facilities

1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector J. Sector J industrial activities are described by the following SIC codes:

SECTOR J: MINERAL MINING AND PROCESSING FACILITIES

SIC Codes	*Description of Industry Sub-sector*
1411	Dimension Stone
1422 – 1429	Crushed and Broken Stone, Including Rip Rap
1442, 1446	Sand and Gravel Mining
1455, 1459	Clay, Ceramic, and Refractory Materials
1474 – 1479	Chemical and Fertilizer Mineral Mining

1481 Nonmetallic Minerals, Except Fuels

1499 Miscellaneous Nonmetallic Minerals, Except Fuels

(For detailed information about each SIC code, see Part II, Section A.1.b)

2. Covered Discharges

The requirements in Section J apply to stormwater discharges associated with industrial activity from Active and Inactive Non-Metallic Mineral Mining and Dressing facilities as identified by the SIC Codes specified under Sector J above. These include stormwater discharges and mine dewatering discharges that consist solely of stormwater and non-contaminated groundwater seepage from inactive, active, and temporarily inactive facilities; and from sites undergoing reclamation.

3. Definitions

The following definitions apply only to Section J of this general permit:

Active Mineral Mining Facility. A place where work or other activity related to the extraction, removal, or recovery of minerals is being conducted. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of "active mining area" found at 40 CFR §440.132(a), related to Ore Mining and Dressing Point Source Category.

Active phase. Activities including the extraction, removal, or recovery of minerals. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of "active mining area" found at 40 CFR §440.132(a), related to Ore Mining and Dressing Point Source Category. The active phase is considered part of mining operations.

Aggregates. Any commonly recognized construction material originating from a quarry or pit by the disturbance of the surface, including dirt, soil, rock asphalt, granite, gravel, gypsum, marble, sand, stone, caliche, limestone, dolomite, rock, riprap, or other non-mineral substance. The term does not include clay or shale mined for use in manufacturing structural clay products.

Exploration phase. Entails exploration and land disturbance activities to determine the financial viability of a site. The exploration phase is not considered part of mining operations.

Inactive Mineral Mining Facility. A site or portion of a site, with an identifiable operator, where mineral mining or milling occurred in the past but is not an active facility as defined above, where the inactive portion is not covered by an active mining permit, and where the reclamation phase has not been completed.

Mine Dewatering. (From 40 CFR §436.21) any water that is impounded or that collects in the mine and is pumped, drained or otherwise removed from the mine through the efforts of the mine operator. However, if a mine is also used for treatment of process generated waste water, discharges of commingled water from the facilities must be deemed discharges of process generated waste water.

Mining operations. Includes the active mining, inactive mining, the temporarily inactive mining, and the reclamation phases, but excludes the exploration and construction phases.

Quarry. The site from which aggregates for commercial sale are being or have been removed or extracted from the earth to form a pit, including the entire excavation, stripped

areas, haulage ramps, and the immediately adjacent land on which the plant processing the raw materials is located. The term does not include any land owned or leased by the operator not being currently used in the production of aggregates for commercial sale or an excavation to mine clay or shale for use in manufacturing structural clay products.

Temporarily Inactive Mineral Mining Facility. A site or portion of a site where mineral mining or milling occurred in the past and is not currently being actively undertaken, and where the facility is covered by an active mining permit.

Non-contaminated. Free from the presence of pollutants attributable to industrial activity.

4. Annual Comprehensive Site Compliance Evaluation

The SWP3 must be revised to reflect the findings of the annual comprehensive site compliance evaluation within a maximum of 12 weeks following completion of the evaluation for inactive mining facilities.

5. Limitations on Permit Coverage

(a) This general permit does not authorize the discharge of stormwater runoff described in the Texas Water Code, §26.553 (related to certain quarries located in the John Graves Scenic Riverway, in the Brazos River Basin), where TCEQ rules require coverage under an individual permit or alternative general permit. These facilities must obtain coverage under an alternative TPDES permit as described in applicable TCEQ rules.

(b) This permit does not authorize discharges from facilities described under the federal effluent limitations guidelines in 40 CFR Part 436 (Mineral Mining and Processing Point Source Category), except that stormwater and non-contaminated groundwater seepage from sand, gravel, and crushed stone mining operations described in this rule may be discharged, as described in section J.2. above and section J.6. below.

(c) Sites where mining claims are being maintained prior to disturbances associated with the extraction, beneficiation, or processing of mined materials, and sites where minimal activities are undertaken for the sole purpose of maintaining a mining claim are not considered either active or inactive mining facilities and do not require a permit for stormwater discharges associated with industrial activity.

6. Numeric Effluent Limitations

Applicable to Sector J facilities discharging stormwater and mine dewatering consisting solely of stormwater and non-contaminated groundwater seepage from the following sand, gravel, and crushed stone mining operations that are subject to federal effluent limits. The following SIC codes are subject to numeric effluent limits for mine dewatering: 1422 – 1429 (Crushed Stone), 1442 (Construction Sand and Gravel), and 1446 (Industrial Sand).

(a) Construction Sand and Gravel (SIC 1442), Industrial Sand (SIC 1446), and Crushed Stone (SIC 1422 – 1429). The following numeric effluent limitations, based on guidelines for mine dewatering from the Mineral Mining and Processing Point Source Category (40 CFR Part 436), apply to mine dewatering operations (discharges from the mine pit of accumulated stormwater and non-contaminated groundwater seepage) at construction sand and gravel, industrial sand, or crushed stone mining facilities. Samples of these discharges must be obtained before the runoff combines with other stormwater runoff, analyzed, and must not exceed the following numeric effluent limitations:

(1) For mine dewatering discharges from facilities regulated under 40 CFR Part 436, Subpart B (Crushed Stone Subcategory) and Subpart C (Construction Sand and Gravel Subcategory), the following effluent limits apply:

Table 18. Numeric Effluent Limitations for Sector J Facilities Regulated under 40 CFR Subpart B and Subpart C

Parameter	**Limitations Daily Avg.**	**Limitations Daily Max.**	**Monitoring Frequency**
pH	6.0-9.0 S.U.	6.0-9.0 S.U.	1/Year

(2) For mine dewatering discharges from facilities regulated by 40 CFR Part 436, Subpart D (Industrial Sand Subcategory), the following effluent limits apply:

Table 3. Numeric Effluent Limitations for Sector J Facilities Regulated under 40 CFR Subpart D

Parameter	**Limitations Daily Avg.**	**Limitations Daily Max.**	**Monitoring Frequency**
TSS	25 mg/L	45 mg/L	1/Year
pH	6.0-9.0 S.U.	6.0-9.0 S.U.	1/Year

These limitations do not apply to Sector J facilities that are not subject to federal guidelines at 40 CFR Part 436.

(b) Sample Type. Grab samples must be collected for analyses prior to combining with other flows.

(c) Reporting Requirements. Monitoring for compliance with numeric effluent limitations in this section is subject to the following requirements:

(1) Results of monitoring must be recorded on a discharge monitoring report (DMR). The DMR must either be an original EPA No. 3320-1 form, a duplicate of the form, or as otherwise provided by the executive director.

(2) Monitoring must be conducted prior to December 31st for each annual monitoring period and the DMR must be submitted to the TCEQ's Information Resources Division, Central File Room (MC-213) and to the appropriate TCEQ Regional Office by March 31st of the following year, as described in Part III, Section E.6. of this permit.

(3) In addition, a copy of the DMR must either be retained at the facility or must be made readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction by March 31st following the annual monitoring period.

(d) Waivers from Numeric Effluent Limitations. Numeric effluent limitations for mine dewatering do not apply to discharges that overflow from structural control facilities that are designed, constructed, and maintained to contain or treat the volume of mine dewatering wastewater that would result from a 10-year, 24-hour storm event. The permittee shall maintain, as a part of the SWP3, the following information in order to receive this waiver: engineering design records that demonstrate structural controls are adequate to intercept, contain, and treat the volume of runoff from a 10-year, 24-hour storm event; and records of rainfall from either a rain gauge that is located onsite or a rain gauge maintained in the immediate area of the site. Rainfall records are only required to document events that equal or exceed a 10-year, 24-hour event.

7. Benchmark Monitoring Requirements

The following subsectors must conduct benchmark monitoring on discharges of stormwater associated with industrial activities according to the requirements in Part IV of this general permit.

Table 20. Benchmark Monitoring Requirements for Subsections in Sector J

SIC Code	Description of Industrial Activity	Benchmark Parameter	Benchmark Value
1411 1422-1429 1481	Dimension Stone Crushed and Broken Stone, Incl. Rip Rap Nonmetallic Minerals, Except Fuels	TSS pH	50 mg/L 6.0-9.0 S.U.
1442,1446	Sand and Gravel Mining	Nitrate + Nitrite N TSS	0.68 mg/L 50 mg/L

8. Mining Related Non-Stormwater Discharges

Certification of Discharge Testing. The permittee shall test or evaluate all outfalls covered under this permit for the presence of specific mining-related non-stormwater discharges such as discharges subject to effluent limitations guidelines (e.g., 40 CFR Part 436). The SWP3 must include information on the discharge from each outfall.

9. Additional SWP3 Requirements

(a) Employee Training. The permittee shall conduct employee training at least once per year at active and temporarily inactive sites.

Training must be conducted for all employees who work in areas where industrial materials or activities are exposed to stormwater, or who are responsible for implementing activities necessary to meet the conditions of this permit (e.g., inspectors, maintenance personnel), including all members of the Pollution Prevention Team. Training must cover the specific control measures used to achieve the requirements in this section, plus the monitoring, inspection, planning, reporting, and documentation requirements in other parts of this permit.

(b) The following requirements are required to be in the SWP3 for active mineral mining facilities, temporarily inactive mineral mining facilities, and sites being returned or transitioned into an appropriate post mining use, and are in addition to the requirements listed in Part III of this general permit. These requirements are not applicable to inactive mineral mining facilities. (also see Part V, Section J.10. below)

(1) A description of the nature of the industrial activities at the facility;

(2) A map showing the general location of the facility and all surface waters for receiving discharges authorized under this general permit; and

(3) A site map showing:

a. the size of the property in acres;

b. the location and extent of significant structures and impervious surfaces;

c. locations of all existing structural control measures;

d. locations of all of the immediate receiving, with an indication whether any of the waters are impaired and, if so, whether the waters have TMDLs established for them;

e. locations of all stormwater conveyances including ditches, pipes, and swales;

f. locations of all stormwater monitoring points;

g. locations of stormwater inlets and outfalls, with a unique identification code for each outfall (e.g., Outfall No. 001, 002, etc), indicating if one or more outfalls is being treated as "substantially similar" in accordance with Part III, Section D.2.(b) of this general permit, and an approximate outline of the areas draining to each outfall;

h. locations and descriptions of all non-stormwater discharges identified under Part V, Section J.8.

i. locations of the following activities where such activities are exposed to stormwater:

(i) fueling and maintenance areas;

(ii) locations used for the treatment, storage, or disposal of wastes;

(iii) liquid storage tanks;

(iv) immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility;

(v) transfer areas for substances in bulk; and machinery; and

(vi) locations and sources of runon to the facility from adjacent property that contains significant quantities of pollutants.

(c) Potential Pollutant Sources. For each area of the mine or mill site, including onsite and offsite haul and access roads, where stormwater discharges associated with industrial activities occur, the permittee shall document in the SWP3 the types of pollutants (e.g., heavy metals, sediment) likely to be present in significant amounts.

10. Inactive and Unstaffed Sites – Monitoring Waivers

Conditional exemption from routine inspections, quarterly visual assessments, and benchmark monitoring:

A permitted operator of an inactive and unstaffed Sector J facility, including temporarily inactive and unstaffed sites may be waived from the routine inspection, quarterly visual assessment and benchmark monitoring requirements. These permittees are conditionally exempt from the requirement to certify that there are no industrial materials or activities exposed to stormwater, provided that all of the following conditions are met:

(a) If circumstances change and the facility becomes active or staffed, this exemption no longer applies and the operator must immediately begin complying with the applicable benchmark monitoring requirements as if they were in their first year of permit coverage, as well as the quarterly visual assessment requirements; and

(b) the discharge does not cause, have a reasonable potential to cause, or contribute to a violation of applicable water quality standards.

Subject to the two conditions above, if a Sector J facility is inactive and unstaffed, the operator is waived from the requirement to conduct quarterly visual assessments, routine facility inspections, and benchmark monitoring. Inactive industrial facilities must continue to conduct comprehensive site compliance inspections on at least an annual basis as described in Part III, Section B.5 of this permit. Inactive Sector J facilities may not obtain a waiver from comprehensive site compliance inspections.

11. Termination of Permit Coverage

(a) The permittee shall continue to meet the requirements of this general permit until authorization under the general permit is terminated. The permittee may terminate coverage by submitting an NOT in accordance with Part II.C.7 of this general permit. For the purposes of this section (Sector J), Part II.C.7.(a)(1)c. of the general permit, related to termination of coverage, means either that final stabilization of the site must be achieved or the site must be returned to an alternative post-mining use.

(b) A site or portion of a site is considered to have achieved final stabilization or to be returned to an alternative post mining use if the permittee can demonstrate that it has accomplished either of the following two conditions, (1) or (2):

(1) Final Stabilization. To achieve final stabilization, the permittee shall insure that all of the following requirements (a through d) have been met:

a. Stormwater runoff that comes into contact with raw materials, intermediate byproducts, finished products, and waste products does not have the potential to cause or contribute to violations of state water quality standards.

b. Soil disturbing activities related to mining at the site or portion of the site have been completed.

c. The site or portion of the site has been stabilized to minimize soil erosion.

d. If appropriate depending on the type, location, or size of the site, and its potential to contribute pollutants to stormwater discharges, the site or portion of the site has been revegetated, will be amenable to natural revegetation, or will be left in a condition consistent with the post-mining land use described in paragraph (2) below.

(2) Alternative Post Mining Use: For the purposes of this section, a permittee may submit an NOT to terminate coverage if the land has been returned to an alternative post-mining land use. For example, this may include construction pad sites and lakes.

Section K. Sector K of Industrial Activity - Hazardous Waste Treatment, Storage, and Disposal Facilities

1. Description of Industrial Activity

Sector K facilities include those facilities with activities directly related to the treatment, storage, and disposal of hazardous wastes, including those that are operating under the regulatory authority and authorization of Subtitle C of the Resource Conservation and Recovery Act (RCRA).

SECTOR K: HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES

Activity Codes and Description of Industry Sub-sector

HZ Hazardous Waste Treatment, Storage, and Disposal Facilities

2. Covered Stormwater Discharges

Stormwater discharges from treatment, storage, or disposal facilities as defined under 30 TAC Chapter 335, Subchapter E (40 CFR Part 265), 30 TAC Chapter 305 (40 CFR Part 270), and 30 TAC Chapter 335, Subchapter F (40 CFR Part 264), including those operating under interim status or a permit under these rules, may obtain coverage under this general permit if other applicable requirements are met.

3. Limitations on Permit Coverage

(a) Coverage is limited to those facilities that treat, store, or dispose of hazardous waste and are defined under 30 TAC Chapter 335, Subchapter E (40 CFR Part 265), 30 TAC Chapter 305 (40 CFR Part 270), or 30 TAC Chapter 335, Subchapter F (40 CFR Part 264), including those operating under interim status or a permit under these rules. The executive director may require an individual TPDES permit for any discharges under this sector if conditions warrant.

(b) This section does not include generators who temporarily store hazardous waste pursuant to the requirements in 30 TAC §§335.69 (40 CFR §262.34), 335.2(d)(5), 335.41, or 335.94 (40 CFR §263.12). Based on the facility SIC code, operators of such facilities may be regulated under an alternative sector of this general permit, or may not require permit coverage.

(c) This general permit does not authorize the discharge of landfill wastewater subject to federal effluent guidelines at 40 CFR Part 445 (Landfills Point Source Category), including, but not limited to: leachate; gas collection condensate; drained free liquids; laboratory derived wastewater; contaminated stormwater; and contact washwater from washing truck, equipment and railcar exteriors and surface areas that have come in direct contact with solid waste at the landfill facility. The discharge or disposal of landfill wastewater subject to federal effluent guidelines at 40 CFR Part 445 must be authorized under an individual TPDES permit or other authorized means.

(d) All facilities regulated under this general permit that treat, store, or dispose of hazardous waste must comply with all applicable rules and regulations, including 30 TAC Chapters 305 and 335.

4. Definitions

Contaminated stormwater. Stormwater that comes into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater. Some specific areas of a landfill that may produce contaminated stormwater include (but are not limited to) the open face of an active landfill with exposed waste (no cover added); the areas around wastewater treatment operations; trucks, equipment, or machinery that has been in direct contact with the waste; and waste dumping areas.

Drained free liquids. Aqueous wastes drained from waste containers (e.g., drums) prior to land filling.

Landfill. A disposal facility or part of a facility where solid waste or hazardous waste is placed in or on land and that is not a pile, a land treatment facility, a surface impoundment, an injection well, a salt dome formation, a salt bed formation, an underground mine, a cave, or a corrective action management unit, as these terms are defined elsewhere in TCEQ or EPA rules.

Landfill wastewater. As defined in 40 CFR Part 445 (Landfills Point Source Category), all wastewater associated with, or produced by, land filling activities except for sanitary wastewater, non-contaminated stormwater, contaminated groundwater, and wastewater from recovery pumping wells. Landfill wastewater includes, but is not limited to, leachate, gas collection condensate, drained free liquids, laboratory derived wastewater, contaminated stormwater, and contact washwater from washing truck, equipment, and railcar exteriors and surface areas that have come in direct contact with solid waste at the landfill facility.

Leachate. Any liquid, included any suspended components in the liquid, that has percolated through or drained from solid waste or hazardous waste.

Non-contaminated stormwater. Stormwater that does not come into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater. Non-contaminated stormwater includes stormwater that flows off the cap, cover, intermediate cover, daily cover, or final cover of the landfill.

5. Benchmark Monitoring Requirements

The following subsections must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

Table 21. Benchmark Monitoring Requirements for Sector K

Activity Code	Description of Industrial Activity	Benchmark Parameter	Benchmark Value
HZ	Hazardous Waste Treatment, Storage, and Disposal	Ammonia-Nitrogen Magnesium, total COD Arsenic, total Cadmium, total Cyanide, total Lead, total Mercury, total Selenium, total Silver, total	1.7 mg/L 1.4 mg/L 60 mg/L 0.010 mg/L 0.001 mg/L 0.02 mg/L 0.010 mg/L 0.0002mg/L 0.01 mg/L 0.002 mg/L

Section L. Sector L of Industrial Activity - Landfills and Land Application Sites

1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector L. Sector L industrial activities are described by the following Industrial Activity Code:

SECTOR L: LANDFILLS AND LAND APPLICATION SITES

Activity Codes and Description of Industry Sub-sector

LF -Landfills, Land Application Sites, and Open Dumps that Receive or Have Previously Received Industrial Waste, including sites subject to regulation under Subtitle D of the Resource Conservation and Recovery Act (RCRA).

2. Definitions

The following definitions apply only to Section L of this general permit:

Contaminated Stormwater. Stormwater that comes into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater. Some areas of a landfill that may produce contaminated stormwater include (but are not limited to) the open face of an active landfill with exposed waste (no cover added); the areas around wastewater treatment operations; trucks, equipment, or machinery that has been in direct contact with the waste; and waste dumping areas.

Drained Free Liquid. Aqueous wastes drained from waste containers (e.g., drums) prior to land filling.

Final Stabilization. For the purpose of this permit, includes all requirements needed to achieve final regulatory closure of the site.

Inactive Landfill. A facility that no longer receives waste and has completed closure according to all applicable federal, state, and local requirements, but where an authorization under this general permit is maintained.

Industrial Waste. Solid waste from manufacturing portions of industrial activities defined in this general permit.

Landfill. A solid waste management unit where solid waste is placed in or on land and that is not a pile, a land treatment unit, a surface impoundment, an injection well, a salt dome formation, an underground mine, a cave, or a corrective action management unit.

Landfill Wastewater. As defined in 40 CFR Part 445 (Landfills Point Source Category) all wastewater associated with, or produced by, land filling activities except for sanitary wastewater, non-contaminated stormwater, contaminated groundwater, and wastewater from recovery pumping wells. Landfill process wastewater includes, but is not limited to, leachate, gas collection condensate, drained free liquids, laboratory-derived wastewater, contaminated stormwater, and contact wash water from washing truck, equipment, and railcar exteriors and surface areas that have come in direct contact with solid waste at the landfill facility.

Land Application Site, or Land Treatment Facility. For the purpose of this permit, a facility or part of a facility at which solid waste is applied onto or incorporated into the soil surface and that is not a corrective action management unit; such facilities are disposal facilities if the waste will remain after closure.

Leachate. Liquid that has passed through or emerged from solid waste and contains soluble, suspended, or miscible materials removed from such waste.

Municipal Solid Waste (MSW). Solid waste, resulting from or incidental to municipal, community, commercial, institutional, and recreational activities, including garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles, and all other solid waste other than industrial solid waste.

Municipal Solid Waste Facility. All contiguous land, structures, other appurtenances, and improvements on the land used for processing, storing, or disposing of solid waste. A facility may be publicly or privately owned and may consist of several processing, storage, or disposal operational units, e.g., one or more landfills, surface impoundments, or combinations of them.

Municipal Solid Waste Landfill Unit. A discrete area of land or an excavation that receives household waste and that is not a land application unit, surface impoundment, injection well, or waste pile, as those terms are defined under 40 CFR §257.2. A municipal solid waste (MSW) landfill unit also may receive other types of Resource Conservation and Recovery Act (RCRA) Subtitle D wastes, such as commercial solid waste, nonhazardous

sludge, conditionally exempt small-quantity generator waste, and industrial solid waste. Such a landfill may be publicly or privately owned. An MSW landfill unit may be a new MSW landfill unit, an existing MSW landfill unit, a vertical expansion, or a lateral expansion.

Non-Contaminated Stormwater. Stormwater that does not come into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater. Non-contaminated stormwater includes stormwater that flows off the cap, cover, intermediate cover, intact daily cover, or final cover of the landfill.

Open Dump. A facility for the disposal of solid waste that is not otherwise defined in this section.

Temporary Stabilization. A condition where exposed soils or disturbed areas are provided a protective cover, which may include temporary seeding, geotextiles, mulches, and other techniques to reduce or eliminate erosion until either final stabilization can be achieved or until further construction activities take place.

3. Covered Stormwater Discharges

(a) This permit authorizes the discharge of non-contaminated stormwater and uncontaminated groundwater associated with waste disposal at landfills, land application sites, and open dumps that receive or have received solid waste from an industrial activity covered under this general permit, including sites subject to regulation under Subtitle D of RCRA.

(b) Landfill activities include the construction of new landfill cells that take place as part of normal landfill operations. This permit does not cover stormwater discharges from the initial construction of the landfill.

(c) Stormwater discharges from sites where wastewater or sludge is land applied is not required to be permitted, provided that the disposal site is properly permitted by the TCEQ or the EPA, and that stormwater runoff from the disposal site does not contact the wastewater or sludge.

4. Limitations on Permit Coverage

(a) This general permit does not authorize the discharge of landfill wastewater subject to federal effluent guidelines at 40 CFR Part 445 (Landfills Point Source Category), including: leachate; gas collection condensate; drained free liquids; laboratory derived wastewater; contaminated stormwater; and contact wash water from washing truck, equipment and railcar exteriors. The discharge or disposal of landfill wastewater must be authorized under an individual TPDES permit or other authorized means.

(b) Non-contaminated stormwater discharges from any landfill; land application site; or open dump that does not receive or has not received any solid waste from industrial activities regulated under this permit does not require authorization under this permit.

(c) Closed Landfills. Permit Coverage is not required where a site has achieved final regulatory closure with respect to solid waste regulations, and where the entire landfill area has been filled in, re-graded, and finally stabilized. If the landfill has been closed according to TCEQ regulations (including re-grading and stabilization) and is in the regulatory post closure monitoring period, then MSGP coverage is not required as long as there is no other industrial activity occurring at the site. Industrial activity may include, but is not limited to, associated vehicles and equipment, material handling or storage areas, buildings, waste or material storage piles, and access roads.

Closed or inactive landfills that are no longer in use but that have not received closure approval from TCEQ (and hence have not begun the 30 year post closure monitoring), would still be considered industrial activities and coverage should be maintained as an inactive landfill.

(d) All permittees regulated under this section of the general permit that generate solid waste, including municipal solid waste, shall comply with all applicable rules and regulations, including 30 TAC Chapter 330.

5. Additional SWP3 Requirements

(a) Maintenance Program. The permittee shall maintain all elements of leachate collection and treatment systems in order to prevent the discharge of stormwater that has commingled with leachate, contaminated stormwater, or other landfill wastewater. The permittee shall also maintain integrity and effectiveness of any intermediate or final cover (including repairing the cover as necessary), for the purpose of minimizing the effects of settlement, sinking, and erosion.

(b) Erosion and Sedimentation Control Measures. The permittee shall provide temporary stabilization (for example, temporary seeding, mulching, and placing geotextiles on the inactive portions of stockpiles) for the following areas and activities:

(1) materials stockpiled for daily, intermediate, and final cover;

(2) inactive areas of the landfill or open dump;

(3) landfills or open dump areas that have gotten final covers but where vegetation has yet to establish itself; and

(4) land application sites where waste application has been completed but final vegetation has not yet been established.

(c) Investigation and Certification of Non-Stormwater Discharges. The permittee shall include leachate, vehicle wash water, and contaminated stormwater in its investigation and certification of non-stormwater discharges.

(d) Site Map. The site map must depict the locations of the following:

(1) active and closed landfill cells or trenches;

(2) active and closed land application areas;

(3) any known leachate springs or similar uncontrolled leachate sources that could contact stormwater; and

(4) leachate collection and treatment systems.

(e) Summary of Potential Pollutant Sources. The SWP3 must include documentation of the following activities:

(1) fertilizer, herbicide, and pesticide application;

(2) earth and soil moving;

(3) waste hauling and loading or unloading;

(4) outdoor storage of significant materials, including daily, interim, and final cover material stockpiles as well as temporary waste storage areas;

(5) exposure of active and inactive landfill and land application areas;

(6) uncontrolled leachate flows; and

(7) failure or leaks from leachate collection and treatment systems.

(f) Periodic Inspections.

(1) Inactive sites. For inactive landfills and land application sites, this section of the SWP3 must include inspection procedures for qualified personnel to evaluate the stabilization and structural erosion control measures, as well as the leachate collection and treatment systems.

(2) Periodic Inspection Frequency. Inspection procedures must be developed according to the standard periodic inspection requirements described in Part III, Section B. of this general permit, but inspections must be conducted at the following frequencies:

a. for active landfills, open dumps, and land application sites, at least once every seven (7) days; alternatively, in arid areas, inspections may be conducted at least once each month; or

b. for areas of landfill sites where landfill activities are completed and soils are finally stabilized, and for land application sites where land application has been completed, inspections must be conducted at least once every month.

(g) Erosion Control Measures. The permittee shall provide temporary stabilization of all materials that are stockpiled and stored for future use. Inactive areas of the landfill with stockpiled materials that have intermediate cover, but no final cover, must be stabilized. Inactive areas that have received final cover must be temporarily stabilized until final stabilization measures are completed. Inactive land application areas must be temporarily stabilized until final stabilization measures are completed.

(h) Records. Operators of landfills or open dumps shall keep records of the types of wastes disposed of in each cell or trench, and land application site operators shall maintain a tracking system to define the types and quantities of wastes applied within specific areas of the application site. These records must either be included in the SWP3 or be referenced and made readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction.

6. Benchmark Monitoring Requirements

The following subsections must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

Table 22. Benchmark Monitoring Requirements for Activity Codes in Sector L

Activity Code	Description of Industrial Activity	Benchmark Parameter	Benchmark Value
LF	Landfills, Land Application Sites, and Open Dumps	TSS Iron, total*	100 mg/L 1.3 mg/L

*Sampling for total iron is not required for discharges from municipal solid waste landfill areas that have been closed in accordance with 40 CFR §258.60.

Section M. Sector M of Industrial Activity - Automobile Salvage Yards

1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector M. Sector M industrial activities are described by the following SIC code:

SECTOR M: AUTOMOBILE SALVAGE YARDS

SIC Codes	*Description of Industry Sub-sector*
5015	Automobile Salvage Yards

(For detailed information about each SIC code, see Part II, Section A.1.b)

2. Additional SWP3 Requirements

(a) Employee Training. The following areas must be addressed in the employee training program: proper handling (collection, storage, and disposal) of oil, used mineral spirits, anti-freeze, mercury switches, and solvents.

(b) Site Map. Include the locations of the following:

(1) vehicle and vehicle parts storage areas;

(2) vehicle dismantling areas;

(3) vehicle and equipment fueling and maintenance areas;

(4) vehicle, parts, and equipment cleaning areas;

(5) waste treatment, storage and disposal areas; and

(6) areas where fluids or fuels are stored in drums, tanks, or other containers.

(c) The SWP3 must include an assessment of the potential for each of the areas listed above to contribute pollutants to stormwater discharges from the site.

(d) Spill Prevention and Response Measures.

(1) Vehicles must be inspected for leaking fluids upon arrival at the facility. Actions must be immediately taken to prevent the discharge of fluids according to specific measures established by the operator within the spill prevention and response measures section of the SWP3. Upon the arrival (or as soon after the arrival as feasible) of vehicles at the site that are intended to be dismantled, the permittee shall drain those vehicles of all fluids, or shall employ another equivalent mean to prevent spills and leaks.

(2) Vehicles that are stored but are not drained of fluids must be inspected for leaks at least once per quarter. These inspections may be incorporated as part of the standard periodic inspections. The spill prevention and response measures must be developed with specific guidelines for inspecting stored vehicles and measures to be taken when vehicles are identified as leaking or in danger of developing leaks. All fluids must be handled and disposed of according to all applicable state and federal regulations.

(e) Periodic Inspections. Equipment containing oily parts, hydraulic fluids, or other fluids must be inspected for leaks during the periodic inspections.

(f) Good Housekeeping Measures. Equipment operators shall conduct inspections of equipment on a daily basis when equipment is in use.

(g) Employee Training Program and Employee Education. The employee training program must include training on the following operations at facilities where these activities occur or wastes are generated:

(1) used oil and spent solvent management;

(2) management of metal filings and dust from welding, grinding, and similar operations that produce metal waste; and

(3) lead-acid battery management.

3. Benchmark Monitoring Requirements

The following subsections must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

Table 23. Benchmark Monitoring Requirements for Subsections in sector M

SIC Code	Description of Industrial Activity	Benchmark Parameter	Benchmark Value
5015	Automobile Salvage Yards	Aluminum, total TSS Iron, total Lead, total	1.2 mg/L 100 mg/L 1.3 mg/L 0.010 mg/L

Section N. Sector N of Industrial Activity - Scrap and Waste Recycling Facilities

1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector N. Sector N industrial activities are described by the following SIC Code :

SECTOR N: SCRAP AND WASTE RECYCLING FACILITIES

SIC Codes	*Description of Industry Sub-sector*
5093	Scrap and Waste Recycling Facilities (e.g., metals, paper, plastic, cardboard, glass, animal hides, used oil, antifreeze, mineral spirits, industrial solvents, computers, electronics, and other materials listed in the SIC Code Manual Under SIC 5093)

(For detailed information about each SIC code, see Part II, Section A.1.b)

2. Limitations on Permit Coverage

Stormwater discharges from storage or stockpile areas for metal turnings previously exposed to cutting oils, are only eligible for coverage if these materials are isolated from stormwater by storm resistant shelters or if the following BMPs are implemented:

(a) dedicated containment areas are used that include a perimeter barrier to prevent stormwater runon and runoff;containment areas and perimeter barriers are constructed of concrete, or other similar impermeable oil-resistant materials; and

(b) if discharges only occur following treatment through an oil/water separator or similarly efficient treatment unit.

3. Additional SWP3 Requirements

(a) Requirements for Specific Facilities:

(1) Scrap and Waste Recycling Facilities (Non-Source Separated, Non-liquid Recyclable Materials). The requirements below apply to facilities that receive, process, and wholesale distribute non-liquid recyclable wastes (e.g., ferrous and nonferrous metals, plastics, glass, cardboard, and paper) and that may receive both non-recyclable and recyclable materials. These requirements do not apply to facilities that accept recyclables only from sources that are primarily non-industrial and residential.

a. Inbound Recyclable and Waste Material Control Program. The permittee shall conduct inspections of inbound recyclables and waste materials to minimize the acceptance materials that could be significant sources of pollutants.

b. Scrap and Waste Material Stockpiles and Storage (Outdoor). The permittee shall minimize the potential for stormwater to contact stockpiled materials, processed materials, and non-recyclable wastes.

c. Stockpiling of Turnings Exposed to Cutting Fluids (Outdoor Storage). The permittee shall minimize the potential for stormwater to contact residual cutting fluids.

d. Scrap and Waste Material Stockpiles and Storage (Covered or Indoor Storage). The permittee shall minimize the potential for stormwater to contact residual liquids and particulate matter from materials stored indoors or under cover.

e. Scrap and Recyclable Waste Processing Areas. The permittee shall minimize the potential for stormwater to contact scrap processing equipment by addressing operations that generate visible amounts of particulate residue (e.g., shredding) and minimizing the contact of accumulated particulate matter and residual fluids with runoff (e.g., through good housekeeping, preventive maintenance).

f. Scrap Lead-Acid Battery Program. The permittee shall properly handle, store, and dispose of scrap lead-acid batteries, and shall segregate scrap lead-acid batteries from other scrap materials.

g. Spill Prevention and Response Procedures. The permittee shall install alarms or pump shutoff systems on outdoor equipment with hydraulic reservoirs exceeding 150 gallons in the event of a line break. Alternatively, the permittee may use a secondary containment system capable of holding the entire contents of the reservoir plus room for precipitation. The permittee shall use a mercury spill kit for any release of mercury from switches, anti-lock brake systems, and switch storage areas.

(2) Waste Recycling Facilities (Liquid Recyclable Materials).

a. Waste Material Storage (Indoor). The permittee shall minimize the potential for stormwater to contact residual liquids from waste materials stored indoors.

b. Waste Material Storage (Outdoor). The permittee shall minimize the potential for stormwater to contact stored residual liquids. The SWP3 may refer to

applicable portions of other existing plans, such as SPCC plans required by 40 CFR Part 112.

c. Trucks and Rail Car Waste Transfer Areas. The permittee shall minimize the potential for pollutants in discharges from truck and rail car loading and unloading areas, and shall include measures to clean up minor spills and leaks resulting from the transfer of liquid wastes.

(3) Recycling Facilities (Source-Separated Materials). The following requirements apply to facilities that receive only source-separated recyclables, primarily from non-industrial and residential sources (e.g. local government recycling facility).

a. Inbound Recyclable Material Control. The permittee shall minimize the chance of accepting non-recyclables (e.g., hazardous materials) that could be a significant source of pollutants by conducting inspections of inbound materials.

b. Outdoor Storage. The permittee shall minimize exposure of recyclables to stormwater, and shall use good housekeeping measures to prevent accumulation of particulate matter and fluids, particularly in high traffic areas.

c. Indoor Storage and Material Processing. The permittee shall minimize the release of pollutants from indoor storage and processing areas.

d. Vehicle and Equipment Maintenance. The permittee shall establish controls to minimize pollutants in stormwater from vehicle and equipment maintenance areas.

(b) Drainage Area Site Map. The site map must include the locations of any of the following activities or sources that may be exposed to precipitation or surface runoff: scrap and waste material storage, outdoor scrap and waste processing equipment; and containment areas for turnings exposed to cutting fluids.

(c) Maintenance Schedules/Procedures for Collection, Handling, and Disposal or Recycling of Residual Fluids at Scrap and Waste Recycling Facilities. For any facility that is subject to Part V, Section N.3.(a)(3) above, the SWP3 must identify any applicable maintenance schedule and the procedures to collect, handle, and dispose or recycle residual fluids.

(d) Additional Inspection Requirements. Routine Facility Inspections must be performed once per quarter as described in Part III, Section B.2., and must include, at a minimum, all areas where waste is generated, received, stored, treated, or disposed and that are exposed stormwater.

4. Benchmark Monitoring Requirements

The following subsections must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

Table 24. Benchmark Monitoring Requirements for Subsections in sector N

SIC Code	Description of Industrial Activity	Benchmark Parameter	Benchmark Value
5093	Scrap and Waste Recycling Facilities	Copper, total Aluminum, total Iron, total Lead, total Zinc, total TSS COD	0.030 mg/L 1.2 mg/L 1.3 mg/L 0.010 mg/L 0.16 mg/L 100 mg/L 60 mg/L

Section O. Sector O of Industrial Activity - Steam Electric Generating Facilities

1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector O. Sector O industrial activities are described by the following Industrial Activity Code:

SECTOR O: STEAM ELECTRIC GENERATING FACILITIES

Activity Code and Description of Industry Sub-sector

SE - Steam Electric Power Generating Facilities

(For detailed information about each SIC code, see Part II, Section A.1.b)

2. Covered Stormwater Discharges

The requirements of this section apply to stormwater discharges from the following facilities:

(a) Steam electric power generating facilities as defined in 40 CFR §122.26(b)(14)(vii), that use coal, natural gas, oil, nuclear energy, or other fuel to produce a steam source, including facilities regulated under 40 CFR Part 423 (Steam Electric Power Generating Point Source Category);

(b) coal handling areas located at regulated facilities;

(c) coal pile runoff at regulated facilities; and

(d) duel fuel facilities that could employ a steam boiler.

3. Limitations on Permit Coverage

(a) Non-stormwater discharges subject to effluent limitations guidelines at 40 CFR Part 423 are not eligible for coverage under this general permit.

(b) Stormwater discharges from the following types of facilities are not required to obtain permit coverage and are not eligible for coverage under this general permit:

(1) ancillary facilities (for example, fleet centers and substations) that are not contiguous to a steam electric power generating facility;

(2) gas turbine facilities (providing the facility is not a dual-fuel facility that includes a steam boiler) and combined-cycle facilities where no supplemental fuel oil is burned (and the facility is not a dual-fuel facility that includes a steam boiler); and

(3) cogeneration (combined heat and power) facilities utilizing a gas turbine.

4. Additional SWP3 Requirements

(a) Drainage Area Site Map. The site map must clearly identify the locations of any of the following activities or sources, if they are exposed to stormwater: storage tanks, scrap yards, and general refuse areas; areas used for short-term or long-term storage of general materials; landfills; and stock pile areas.

(b) Good Housekeeping Measures. The permittee shall implement the following housekeeping measures, which must also be documented in the SWP3:

(1) Fugitive Dust Emissions. Minimize fugitive dust emissions from coal handling areas, and the tracking of coal dust offsite.

(2) Minimize the potential for stormwater contamination from the following areas or activities:

a. delivery vehicles arriving at the plant site;

b. fuel oil unloading areas;

c. chemical loading and unloading;

d. miscellaneous loading and unloading areas;

e. above-ground liquid storage tanks;

f. large bulk fuel storage tanks;

g. oil-bearing equipment in switchyard areas;

h. areas adjacent to disposal ponds or landfills; and

i. landfills, scrap yards, surface impoundments, open dumps, general refuse sites.

(3) Spill Reduction Measures. Implement BMPs to minimize the potential for an oil or chemical spill, or reference the appropriate part of a SPCC plan, if applicable.

(4) Residue-Hauling Vehicles. Inspect all residue-hauling vehicles for proper covering over the load, adequate gate sealing, and overall integrity of the container body. Repair vehicles without load covering or adequate gate sealing, or with leaking containers or beds.

(5) Ash Loading Areas. Reduce or control the tracking of ash and residue from ash loading areas. Clear the ash building floor and immediately adjacent roadways of spillage, debris, and excess water before departure of each loaded vehicle.

(c) Additional Inspection Requirements

(1) Periodic Inspections. In addition to the standard routine facility inspection requirements described in Part III, Section B.2. of this general permit, visual inspections must be conducted at least once per week to determine the structural integrity of above-ground storage tanks, pipelines, pumps and other related equipment. If repairs are necessary, they must be performed as expeditiously as practicable; except that repairs must be made immediately if there is a risk to water quality.

(2) Comprehensive Site Compliance Evaluation. In addition to the standard site compliance inspections described in Part III, Sectionsl B.2. and B.5. of this general

permit, personnel must inspect coal handling areas, loading/unloading areas, switchyards, fueling areas, bulk storage areas, ash handling areas, disposal ponds and landfills, maintenance areas, liquid storage tanks, and material storage areas at a minimum frequency of once per month.

5. Numeric Effluent Limitations - Applicable to Sector O Facilities Discharging Coal Pile Runoff

(a) The following numeric effluent limitations, based on guidelines from the Steam Electric Generating Point Source Category [40 CFR §§423.12 (b)(1) and (9)] apply to any stormwater runoff from coal pile storage areas. Samples of these discharges must be obtained before the runoff combines with any other discharge, and shall be analyzed for the following pollutants. The analytical result must not exceed the following numeric effluent limitations:

Table 4. Numeric Effluent Limitations for Sector O facilities discharging Coal Pile Runoff

Parameter	**Limitations Daily Max**	**Monitoring Frequency**
TSS	50 mg/L	1/Year
pH	6.0-9.0 S.U.	1/Year

(b) Sample Type. Grab samples must be collected for analyses prior to combining with other flows.

(c) Reporting Requirements. Monitoring for compliance with numeric effluent limitations in this section is subject to the following requirements:

(1) Results of monitoring must be recorded on a discharge monitoring report (DMR). The DMR must either be an original EPA No. 3320-1 form, a duplicate of the form, or as otherwise provided by the executive director.

(2) Monitoring must be conducted prior to December 31st for each annual monitoring period and the DMR must be submitted to the TCEQ's Information Resources Division, Central File Room (MC-213) and to the appropriate TCEQ Regional Office by March 31st of the following year, as described in Part III, Section E.6. of this permit.

(3) In addition, a copy of the DMR must either be retained at the facility or must be made readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction by March 31st following the annual monitoring period.

(d) Waivers from Numeric Effluent Limitations. Numeric effluent limitations for runoff from coal pile storage areas do not apply to discharges that overflow from structural control facilities that are designed to contain and treat runoff from a 10-year, 24-hour storm event. The permittee shall maintain, as a part of the SWP3, the following information in order to receive this waiver: engineering design records that demonstrate structural controls are adequate to intercept, contain, and treat the volume of runoff from a 10-year, 24-hour storm event; and records of rainfall from either a rain gauge that is located onsite or a rain gauge maintained in the immediate area of the site. Rainfall records are only required to document events that equal or exceed a 10-year, 24-hour event.

6. Benchmark Monitoring Requirements

The following subsections must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

Table 26. Benchmark Monitoring Requirements for Subsections in Sector O

Activity Code	Description of Industrial Activity	Benchmark Parameter	Benchmark Value
SE	Steam Electric Power Generating Facilities	Iron, total TSS	1.3 mg/L 50 mg/L

Section P. Sector P of Industrial Activity - Land Transportation and Warehousing

Land Transportation and Warehousing includes the following types of facilities: motor freight transportation facilities; passenger transportation facilities; petroleum bulk oil stations and terminals; rail transportation facilities; and United States Postal Service (USPS) transportation facilities.

1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector P. Sector P industrial activities are described by the following SIC codes:

SECTOR P: LAND TRANSPORTATION AND WAREHOUSING

SIC Codes	*Description of Industry Sub-sector*
4011, 4013	Railroad Transportation
4111 – 4173	Local and Highway Passenger Transportation
4212 – 4215	Trucking and Courier Services, Except Air
4221, 4222	Farm Product Warehousing and Storage; and Refrigerated Warehousing and Storage
4225	General Warehousing and Storage
4226	Special Warehousing and Storage, Not Elsewhere Classified
4231	Terminal and Joint Terminal Maintenance Facilities for Motor Freight Transportation
4311	United States Postal Service
5171	Petroleum Bulk Stations and Terminals

(For detailed information about each SIC code, see Part II, Section A.1.b)

2. Covered Stormwater Discharges

(a) For facilities described by SIC codes listed above, except for SIC codes 4221, 4222, and 4225, permit coverage is only required for stormwater discharges from areas where the following activities are performed: vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication) or equipment

cleaning. Coverage for stormwater runoff from additional areas may be obtained as described in Part V, Section P.2.(d) below.

(b) For SIC codes 4221, 4222, and 4225, permit coverage is required for stormwater discharges from all areas of the facility. Facilities described by these SIC codes must obtain coverage by submitting an NOI, or a no exposure exclusion by submitting an NEC form, except as described in Part V, Section P.2.c. below for facilities described by SIC code 4225 only (General Warehousing and Storage) that do not have areas where vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication) or equipment cleaning activities are performed.

(c) Facilities described by SIC code 4225 that do not have areas where vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication) or equipment cleaning activities are performed are designated for coverage under this general permit and are not required to submit an NOI for coverage. These facilities must comply only with the following permit requirements and are not subject to additional requirements that are listed in this permit:

(1) The facility must maintain conditions that ensure there is no exposure of industrial activities to stormwater;

(2) The facility operator must comply with the requirements of Part III, Section E. of this general permit, related to Standard Permit Conditions, except that the operator is not required to submit an NOI or NEC form, prepare a SWP3, or conduct analytical monitoring; and

(3) The site must not contain any areas that are used for vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication) or equipment cleaning activities.

The facility operator must apply for coverage if any of the requirements listed above are not met. If the TCEQ determines that additional controls are required other than those listed above, or that there is a concern regarding the discharge of elevated levels of pollutants, then the TCEQ may require a facility described by SIC code 4225 to obtain coverage and meet all permit conditions through submittal of an NOI or an individual permit application.

(d) Runoff from materials storage or handling areas:

(1) The permittee may obtain authorization to discharge stormwater under this general permit from additional areas of Sector P facilities where materials, intermediates, or products are stored or handled, and where the discharge from these areas would otherwise require authorization under a TPDES individual permit or alternative general permit. This permit does not authorize the discharge of any process wastewater from material storage or handling areas, including contaminated stormwater.

(2) In order to obtain coverage for any materials storage or handling areas, the permittee shall ensure that the SWP3 addresses these areas and that the SWP3 contains the following additional elements, in addition to those required in Part III of this general permit:

a. list of the pollutants that may be present in the material and exposed to precipitation or runoff;

b. an indication on the site map of all material storage and handling areas that are being included under the MSGP authorization; and

c. description and implementation of BMPs that specifically address the material that is exposed to rainfall or runoff.

(3) This section does not expand the definition of stormwater associated with industrial activity. If runoff from the materials storage and handling areas are not subject to TPDES wastewater permitting, then the SWP3 is not required to address these areas.

3. Limitations on Coverage

(a) Prohibited Discharges. Except as allowed in Part II, Section A.6, related to non-stormwater discharges, this general permit does not authorize the discharge of wastewater resulting from washing vehicles, equipment, or other surfaces, including tank cleaning operations. These discharges must be authorized under a separate TPDES permit, discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements, recycled on-site, or disposed by an alternate authorized means. The permittee shall keep records of the disposal authorization for this wash water (e.g., individual TPDES permit, discharge to publically-owned treatment works, or contract with hauling company).

(b) Storage of Crude Oil. Discharges of stormwater from Petroleum Bulk Stations and Terminals (SIC 5171) with aboveground storage of crude oil only, are under the regulatory authority of the Railroad Commission of Texas (RRC), and are not eligible for coverage under this general permit.

Stormwater discharges from SIC 5171 facilities with aboveground storage of both crude oil <u>and</u> refined products that are intended for offsite use are under the jurisdiction of the TCEQ. These facilities must obtain authorization to discharge stormwater under this general permit.

This general permit does not authorize discharges of stormwater from Petroleum Bulk Stations and Terminals where crude oil is stored prior to refining and where refined products are stored solely for use at the facility. These types of facilities are under the regulatory authority of the RRC. Authorization for these discharges must be obtained through application for a NPDES permit with the EPA and authorization from the RRC, if applicable.

If circumstances arise where a portion of a site is regulated by the TCEQ, and a portion of a site is regulated by the EPA and RRC, authorization for stormwater discharges must be obtained from the TCEQ for the TCEQ-regulated portions, and from the EPA and RRC for the RRC-regulated portions of the site.

4. Additional SWP3 Requirements

(a) Good Housekeeping Measures. In addition to the good housekeeping SWP3 requirements in Part III, Section A.4 of this general permit, the permittee must implement the following control measures, and must document in the SWP3 the measures being used for each measure:

(1) Vehicle and Equipment Storage Areas. Minimize the potential for stormwater exposure to leaky or leak-prone vehicles or equipment that are awaiting maintenance.

(2) Fueling Areas. Minimize contamination of stormwater from fueling areas.

(3) Material Storage Areas. Maintain all material containers (e.g., for used oil/oil filters, spent solvents, paint wastes, hydraulic fluids) to prevent contamination of stormwater and plainly label them (e.g., "Used Oil," "Spent Solvents")

(4) Vehicle and Equipment Maintenance and Cleaning Areas. Minimize contamination of stormwater runoff from all areas used for vehicle and equipment maintenance or cleaning.

(5) Locomotive Sanding (Loading Sand for Traction) Areas.

(b) Employee Training. The permittee shall include the following information, as applicable, in its employee training: used oil and spent solvent management; fueling procedures; general good housekeeping practices; proper painting procedures; and used battery management.

(c) Drainage Area Site Map. The site map must identify the following areas of the facility and indicate whether activities occurring there may be exposed to stormwater: fueling stations; vehicle/equipment maintenance or cleaning areas; storage areas for vehicle/equipment with actual or potential fluid leaks; loading/unloading areas; areas where treatment, storage or disposal of wastes occur; liquid storage tanks; processing areas; and storage areas.

(d) Potential Pollutant Sources. The SWP3 must assess the potential for the following activities and facility areas to contribute pollutants to stormwater discharges: onsite waste storage or disposal; dirt/gravel parking areas for vehicles awaiting maintenance; illicit plumbing connections between shop floor drains and the stormwater conveyance system(s); and fueling areas.

(e) Spill Prevention and Response Measures. Vehicles and equipment that are scheduled for maintenance and that have potential fluid leaks must be confined to a designated area. The Spill Prevention and Response Measures section of the SWP3 [see Part III, Section A.4.(e)] shall define specific measures to prevent spills and to confine spills within this area. This section of the SWP3 shall also define specific measures to prevent or minimize contamination of stormwater from fueling areas.

(f) Additional Inspection Requirements. Inspection procedures must be developed according to the standard periodic inspection requirements described in Part III, Section B.) of this general permit and conducted at least once per quarter in the following areas:

(1) storage areas for vehicles and equipment awaiting maintenance;

(2) fueling areas;

(3) vehicle and equipment maintenance areas;

(4) material storage areas;

(5) vehicle/equipment cleaning areas; and

(6) loading/unloading areas.

Section Q. Sector Q of Industrial Activity - Water Transportation Facilities

1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector Q. Sector Q industrial activities are described by the following SIC codes:

SECTOR Q: WATER TRANSPORTATION

SIC Codes	*Description of Industry Sub-sector*
4412 – 4499	Water Transportation

(For detailed information about each SIC code, see Part II, Section A.1.b)

2. Covered Stormwater Discharges

(a) Permit coverage is only required for stormwater discharges from areas where the following activities are performed at facilities described by the SIC codes listed above: vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication) or equipment cleaning, except for retail fueling as described in paragraph 3(b) below. Coverage for stormwater runoff from additional areas of Sector Q facilities may be obtained as described in Part V, Section Q.2.(b) below.

(b) Runoff from materials storage or handling areas.

(1) The permittee may obtain authorization to discharge stormwater under this general permit from additional areas of Sector Q facilities where materials, intermediates, or products are stored or handled, and where the discharge from these areas would otherwise require authorization under a TPDES individual permit or alternative general permit. This permit does not authorize the discharge of any process wastewater from material storage or handling areas, including contaminated stormwater.

(2) In order to obtain coverage for any materials storage or handling areas, the permittee shall ensure that the SWP3 addresses these areas and that the SWP3 contains the following additional elements, in addition to those required in Part III of this general permit:

a. a list of the pollutants that may be present in the material and exposed to precipitation or runoff;

b. an indication on the site map of all material storage and handling areas that are being included under the MSGP authorization; and

c. description and implementation of BMPs that specifically address the material that is exposed to rainfall or runoff.

(3) This section does not expand the definition of stormwater associated with industrial activity. If runoff from the materials storage and handling areas are not subject to TPDES wastewater permitting, then the SWP3 is not required to address these areas.

3. Limitations on Coverage

(a) This permit does not authorize the discharge of process wastewater discharges associated with a dry dock activity, bilge and ballast water, sanitary wastewater, pressure wash water, and cooling water originating from vessels.

(b) The retail sale of fuel performed at a marina without slip rental, boat storage, and other services such as cleaning and incidental repair is classified as SIC code 5541 (which includes "marine service stations – retail"). If retail fueling is the primary activity performed at the site, then permit coverage is not required. However, if a marina (SIC 4493) has a secondary SIC code of 5541, then coverage would be required for any areas of the marina where vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication) or equipment cleaning operations occur, other than the retail fueling operation described by SIC 5541.

4. Allowable Non-Stormwater Discharges

Boat Rinse Water. In addition to the non-stormwater discharges allowed under Part II of this general permit, boat rinse water may be discharged from water transportation facilities such as marinas, where the boat rinse water does not contain chemicals, surfactants, or elevated temperatures. Discharge from pressure washing of boats is not authorized under this general permit.

5. Additional SWP3 Requirements.

The following additional requirements must be included in the SWP3, for any areas covered under this section of the general permit.

(a) Site Map. The site map must clearly show the locations of the following activities if the activities are exposed to precipitation or runoff: fueling; engine maintenance and repair; vessel maintenance and repair; pressure washing; painting; sanding; blasting; welding; metal fabrication; loading and unloading areas; locations used for the treatment, storage or disposal of wastes; liquid storage tanks; liquid storage areas (e.g., paint, solvents, resins); and material storage areas (e.g., blasting media, aluminum, steel, and scrap iron).

(b) Summary of Potential Pollutant Sources. The SWP3 must list the following additional sources and activities: outdoor manufacturing or processing activities (e.g., welding, metal fabricating) and significant dust or particulate generating processes (e.g., abrasive blasting, sanding, and painting.).

(c) Good Housekeeping Measures. The permittee must implement the following in addition to the good housekeeping measures described in Part III, Section A.4. of this general permit:

(1) Blasting and Painting Area. Minimize the potential for spent abrasives, paint chips, and overspray to discharge into receiving waters or the storm sewer systems. When necessary, regularly clean stormwater conveyances of deposits of abrasive blasting debris and paint chips.

(2) Material Storage and Handling Areas. Minimize stormwater contamination from material storage and handling operations and areas. Store and plainly label all containerized materials (e.g., fuels, paints, solvents, waste oil, antifreeze, batteries) in a protected, secure location away from drains. If abrasive blasting is performed, discuss the storage and disposal of spent abrasive materials generated at the facility.

(3) Engine Maintenance and Repair Areas. Minimize the potential for contamination of stormwater from all areas used for engine maintenance and repair.

(4) Drydock Activities. Routinely maintain and clean the drydock to minimize pollutants in stormwater runoff. Address the cleaning of accessible areas of the drydock prior to flooding, and final cleanup following removal of the vessel and raising the dock. Include procedures for cleaning up oil, grease, and fuel spills occurring on the drydock.

(d) Employee Training. The permittee shall include the following information, as applicable, in the employee training program: management of used oil and spent solvent, disposal of spent abrasives, disposal of vessel wastewaters, spill prevention and control, fueling procedures, general good housekeeping practices, painting and blasting procedures, and used battery management.

(e) Preventive Maintenance. As part of the preventive maintenance program, the permittee shall perform timely inspection and maintenance of stormwater management devices (e.g., cleaning oil and water separators and sediment traps to ensure that spent abrasives, paint chips, and solids will be intercepted and retained prior to entering the storm drainage system), and shall inspect and test facility equipment and systems to uncover conditions that could cause breakdowns or failures resulting in the discharge of pollutants in stormwater.

(f) Additional Inspection Requirements. Inspection procedures must be developed according to the standard periodic inspection requirements described in Part III, Section B. of this general permit and conducted at least once per month in the following areas:

(1) pressure wash areas;

(2) abrasive blasting, sanding and painting areas;

(3) material storage or handling areas;

(4) engine maintenance or repair areas;

(5) drydock areas; and

(6) the general yard area.

6. Benchmark Monitoring Requirements

The following subsections must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values.

Benchmark sampling is only required for areas of Sector Q facilities where vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication) or equipment cleaning activities are performed.

Table 27. Benchmark Monitoring Requirements for Subsections in Sector Q

SIC Code	Description of Industrial Activity	Benchmark Parameter	Benchmark Value

4412 - 4499	Water Transportation	Aluminum, total Iron, total Lead, total Zinc, total TSS	1.2 mg/L 1.3 mg/L 0.010 mg/L 0.16 mg/L 50 mg/L

Section R. Sector R of Industrial Activity - Ship and Boat Building or Repair Yards

1. Description of Industrial Activity

The requirements of this section apply to stormwater discharges from activities identified and described as Sector R. Sector R industrial activities are described by the following SIC codes:

SECTOR R: SHIP AND BOAT BUILDING OR REPAIRING YARDS

SIC Codes	*Description of Industry Sub-sector*
3731, 3732	Ship and Boat Building or Repairing Yards
7699	Ship Scaling Services, Motorboat Repair and Maintenance Shops

(For detailed information about each SIC code, see Part II, Section A.1.b)

2. Limitations on Coverage

This permit does not authorize the discharge of process wastewater associated with a dry dock activity, bilge and ballast water, sanitary wastes, pressure wash water, or cooling water originating from vessels.

3. Allowable Non-Stormwater Discharge

No additional non-stormwater discharges are authorized other than those listed in Part II, Section A.6. of this general permit.

4. Additional SWP3 Requirements

(a) Site Map. The site map must clearly show the locations of the following activities if the activities are exposed to precipitation or runoff: fueling; engine maintenance and repair; vessel maintenance and repair; pressure washing; painting; sanding; blasting; welding; metal fabrication; loading and unloading areas; locations used for the treatment, storage or disposal of wastes; liquid storage tanks; liquid storage areas (e.g., paint, solvents, resins); and material storage areas (e.g., blasting media, aluminum, steel, and scrap iron).

(b) Summary of Potential Pollutant Sources. The SWP3 must list the following additional sources and activities: outdoor manufacturing or processing activities (e.g., welding, metal fabricating) and significant dust or particulate generating processes (e.g., abrasive blasting, sanding, and painting).

(c) Good Housekeeping Measures. The permittee must implement the following in addition to the good housekeeping measures described in Part III, Section A.4 of this general permit:

(1) Pressure Washing Area. If pressure washing is used to remove marine growth from vessels, the discharged water must be permitted as a process wastewater by a separate TPDES permit.

(2) Blasting and Painting Area. Minimize the potential for spent abrasives, paint chips, and overspray to discharge into the receiving water or the storm sewer system. When necessary, regularly clean stormwater conveyances of deposits of abrasive blasting debris and paint chips.

(3) Material Storage and Handling Areas. Minimize stormwater contamination from material storage and handling operations and areas. Store and plainly label all containerized materials (e.g., fuels, paints, solvents, waste oil, antifreeze, batteries) in a protected, secure location away from drains. If abrasive blasting is performed, discuss the storage and disposal of spent abrasive materials generated at the facility.

(4) Engine Maintenance and Repair Areas. Minimize the potential for contamination of stormwater from all areas used for engine maintenance and repair.

(5) Drydock Activities. Routinely maintain and clean the drydock to minimize pollutants in stormwater runoff. Address the cleaning of accessible areas of the drydock prior to flooding, and final cleanup following removal of the vessel and raising the dock. Include procedures for cleaning up oil, grease, and fuel spills occurring on the drydock.

(d) Employee Training. The permittee shall include the following information, as applicable, in the employee training program: management of used oil and spent solvent, disposal of spent abrasives, disposal of vessel wastewaters, spill prevention and control, fueling procedures, general good housekeeping practices, painting and blasting procedures, and used battery management.

(e) Preventive Maintenance. As part of the preventive maintenance program, the permittee shall perform timely inspection and maintenance of stormwater management devices (e.g., cleaning oil and water separators and sediment traps to ensure that spent abrasives, paint chips, and solids will be intercepted and retained prior to entering the storm drainage system), and shall inspect and test facility equipment and systems to uncover conditions that could cause breakdowns or failures resulting in the discharge of pollutants in stormwater.

(f) Additional Inspection Requirements. Inspection procedures must be developed according to the standard periodic inspection requirements described in Part III, Section B. of this general permit and conducted at least once per month in the following areas:

(1) pressure wash areas;

(2) abrasive blasting, sanding and painting areas;

(3) material storage or handling areas;

(4) engine maintenance or repair areas;

(5) drydock areas; and

(6) the general yard area.

Section S. Sector S of Industrial Activity - Air Transportation Facilities

1. Description of Industrial Activity

The requirements of this general permit apply to stormwater discharges from activities identified and described as Sector S. Sector S industrial activities are described by the following SIC codes:

SECTOR S: AIR TRANSPORTATION

SIC Codes	*Description of Industry Sub-sector*
4512	Air Transportation, Scheduled
4513	Air Courier Services
4522	Air Transportation, Nonscheduled
4581	Airports, Flying Fields, and Airport Terminal Services, including aircraft maintenance and fueling

(For detailed information about each SIC code, see Part II, Section A.1.b)

2. Covered Stormwater Discharges

(a) Permit coverage is only required for stormwater discharges from areas where the following activities are performed at facilities described by the SIC codes listed above: vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication), equipment cleaning operations, or deicing operations. Coverage for stormwater runoff from additional areas of Sector S facilities may be obtained as described in Part V, Section S.2.(b) below.

(b) Runoff from materials storage or handling areas.

(1) The permittee may obtain authorization to discharge stormwater under this general permit from additional areas of Sector S facilities where materials, intermediates, or products are stored or handled, and where the discharge from these areas would otherwise require authorization under a TPDES individual permit or alternative general permit. This permit does not authorize the discharge of any process wastewater from material storage or handling areas, including contaminated stormwater.

(2) In order to obtain coverage for any materials storage or handling areas, the permittee shall ensure that the SWP3 addresses these areas and that the SWP3 contains the following additional elements, in addition to those required in Part III of this general permit:

a. a list of the pollutants that may be present in the material and exposed to precipitation or runoff;

b. an indication on the site map of all material storage and handling areas that are being included under the MSGP authorization; and

c. description and implementation of BMPs that specifically address the material that is exposed to rainfall or runoff.

(3) This section does not expand the definition of stormwater associated with industrial activity. If runoff from the materials storage and handling areas are not

subject to TPDES wastewater permitting, then the SWP3 is not required to address these areas.

3. Definitions

The following definitions apply only to Sector S of this general permit:

Aircraft Deicing Fluid. (ADF) A fluid (other than hot water) applied to aircraft to remove or prevent any accumulation of snow or ice on the aircraft. This includes deicing and anti-icing fluids.

Centralized Deicing Pad. A facility on an airfield deisgned for aircraft deicing operations, typically constructed with a drainage system separate from the airport main storm drain system.

Deicing. Procedures and practices to remove or prevent any accumulation of snow or ice on an aircraft or airfield pavement.

Heating Degree Day. The number of degrees per day the daily average temperature is below 65 degrees Fahrenheit. The daily average temperature is the mean of the maximum and minimum temperature for a 24-hour period. The annual heating degree day value is derived by summing the daily heating degree days over a calendar year period.

Primary Airport. An airport defined at 49 U.S.C. 47102 (15).

4. Limitations on Permit Coverage

(a) This permit only authorizes stormwater discharges from those portions of a Sector S facility that are involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication), equipment cleaning operations, or deicing operations.

(b) Prohibition of Non-Stormwater Discharges. This general permit does not authorize the discharge of wastewater associated with washing aircraft, ground vehicles, runways, or equipment; or the dry weather discharge of deicing chemicals. If these discharges occur, they must be authorized under an alternative TPDES or permit or disposed by another authorized means, and the disposal mechanism described in the SWP3.

(c) A discharge resulting from snowmelt is not a dry weather discharge.

5. Additional SWP3 Requirements

(a) Site Map. The site map must include the following information:

(1) aircraft and runway deicing operations;

(2) fueling stations;

(3) aircraft, ground vehicle and equipment maintenance/cleaning areas;

(4) storage areas for aircraft, ground vehicles and equipment awaiting maintenance; and

(5) the location of each tenant at the site that conducts industrial activity subject to coverage under this section of this general permit.

(b) Potential Pollutant Sources.

(1) The SWP3 must list the following additional sources and activities: maintenance and cleaning of aircraft, runways, ground vehicles, and equipment; and deicing of

aircraft and runways (including apron and centralized aircraft deicing stations, runways, taxiways and ramps).

(2) The SWP3 must include a record of the types and monthly quantities of deicing chemicals that the permittee uses (including the Material Safety Data Sheets MSDS) used and the monthly quantities. This requirement applies for all deicing chemicals, in addition to glycols and urea (e.g., potassium acetate). If the airport authority, tenants, and other Fixed-Based Operators (FBOs) share an SWP3, then the tenants and FBOs that conduct deicing operations must provide the above information to the airport authority.

(c) Good Housekeeping Measures. This section of the SWP3 must describe specific measures to prevent or minimize contamination of stormwater from areas used for the maintenance, fueling, or cleaning of equipment, aircraft, and other vehicles, and for areas where aircraft deicing and anti-icing activities occur. The following requirements must be addressed in the SWP3 and are in addition to the requirements of Part III, Sections A.4. and A.5. of this general permit:

(1) Aircraft, Ground Vehicle and Equipment Maintenance Areas. Minimize the potential for stormwater contamination from areas used for the maintenance of aircraft, ground vehicles, and equipment (including the maintenance conducted on the terminal apron and in dedicated hangers).

(2) Aircraft, Ground Vehicle and Equipment Cleaning Areas. Clearly demarcate aircraft, ground vehicle and equipment cleaning areas on the ground using signage or other appropriate means. Minimize the potential for contamination of stormwater runoff from these areas.

(3) Aircraft, Ground Vehicle and Equipment Storage Areas. Store all aircraft, ground vehicles and equipment awaiting maintenance in designated areas only. Minimize the potential for contamination of stormwater runoff from these storage areas.

(4) Material Storage Areas. Minimize the potential for stormwater contamination from materials storage areas. Maintain in good condition and plainly label any containers of stored materials (e.g., used oils, hydraulic fluids, spent solvents, and waste aircraft fuel).

(5) Source Reduction. Minimize, and where feasible eliminate, the use of urea and glycol-based deicing chemicals, in order to reduce the aggregate amount of deicing chemicals used or lessen the environmental impact.

(6) Runway Deicing Operation. Minimize the potential for stormwater contamination from runways as a result of deicing operations by evaluating and adjusting as necessary the application rates of deicing materials, consistent with considerations of flight safety.

(7) Aircraft Deicing Operations. The permittee shall evaluate the application rates for deicing chemicals, and adjust as necessary, consistent with considerations of flight safety, to help minimize contamination of stormwater runoff from aircraft deicing operations.

(8) Deicing Season. Identify the de-icing season by determining the seasonal timeframe (e.g., December- February, October - March) during which deicing activities typically occur at the facility. Implementation of control measures, including any BMPs, facility inspections and monitoring must be conducted with particular emphasis throughout the defined deicing season. If the deicing chemical usage thresholds of 100,000 gallons glycol or 100 tons of urea are met, the

identified deicing season is the timeframe during which the required benchmark monitoring must be conducted. (See the benchmark monitoring requirements for this sector, below.)

(d) Structural Controls. Operators that conduct deicing or anti-icing activities shall select controls to capture and contain chemicals used in this activity. Containing activities to specific areas where runoff may be captured and either treated, hauled away for disposal or disposed of to the sanitary sewer must be considered. A narrative description of these considerations, including a rationale for why certain alternatives were either chosen or rejected, must be incorporated as an element of the SWP3.

(e) Shared SWP3s. Airport authorities and airport tenants are encouraged to work in partnership to develop and implement a SWP3. Tenants of the airport facility include air passenger or cargo companies, fixed based operators, and other parties who have contracts with the airport authority to conduct business operations on airport property and whose operations result in stormwater discharges associated with industrial activity. Even with a shared SWP3, each entity at an airport that meets the applicability requirements of this permit is required to obtain permit coverage.

(f) Best Management Practices. Facilities that conduct deicing or anti-icing operations must evaluate operating procedures on an annual basis to consider alternative practices that may reduce the overall amount of chemical used, or otherwise lessen the environmental impact of the pollutant. This annual review must include a consideration of alternative chemicals for this use. The SWP3 must include a narrative discussion of the annual alternative practices review that includes the rationale for changes in practices or the decision to retain existing practices. BMPs must be developed and implemented to ensure against over application of chemicals used as a part of deicing and anti-icing operations.

(g) Additional Inspection Requirements.

(1) Routine Facility Inspections. Inspection procedures must be developed according to the standard periodic inspection requirements described in Part III, Section B.2. of this general permit and conducted at least once per week during deicing or anti-icing activities in the areas where these operations take place. Records of weekly inspections, when they occur, must be maintained.

(2) Comprehensive Site Inspections. Conduct the annual site inspection using only qualified personnel, during periods of actual deicing operations, if possible. If not practicable during active deicing because of weather, conduct the inspection during the season when deicing operations occur and the materials and equipment for deicing are in place.

6. Numeric Effluent Limitations – Applicable to Sector S Facilities Discharging Stormwater from Airport Deicing Activities

The following numeric effluent limitations, based upon guidelines from Airport Deicing Point Source Category, 40 CFR Part 449, applies to any stormwater runoff from airport and airfield deicing activities. The limitiations must be met at the location where the effluent leaves the onsite treatment system utilized for meeting these requirements and before commingling with any non-deicing discharges.

(a) For new and existing airports with 1,000 or more jet departures per year, the following requirements apply:

1) Airfield Pavement Deicing. The discharge from airfield pavement deicers containing urea is not allowed. This requirement must be met by either:

   a. Certifying annually that the airfield deicing products do not contain urea; or

   b. Each discharge point must be monitored and meet the following numeric effluent limitations:

   Table 28. Numeric Effluent Limitations for existing Sector S facilities with airfield deicing

Wastestream	Parameter	Daily Maximum*
Airfield Pavement Deicing	Ammonia- Nitrogen	14.7 mg/L

   *Sample Frequency: Once per day during deicing activities
   *Sample Type: Grab

2) Aircraft Deicing. There are no requirements for new or existing airports with less than 1,000 jet (non-propeller aircraft) departures per year.

(b) For all new airports with 10,000 or more departures annually and 3,000 or more heating degree days (annual), the following requirements apply:

   a. At least 60% of available aircraft deicing fluid (ADF) must be collected; and

   b. The discharge must be monitored for and meet the numeric efflient limitations below. The effluent limitation must be met at the location where the effluent leaves the onsite treatment system utilized for meeting these requirements and before commingling with any non-deicing discharges.

   Table 30. Numeric Effluent Limitations for new Sector S facilities with airfield deicing

Wastestream	Parameter	Daily Maximun*	Weekly Average
Aircraft Deicing	COD	271 mg/L	154 mg/l

   *Sampling: Once per day during deicing activities
   *Sample Type: See 40 CFR Part 449, Appendix A Sampling Protocal For Soluable COD

(c) General Requirements

   The permittee shall demonstrate compliance with the ADF collection, reporting, and record keeping requirements described in Part V.Section S.(c)(2) above.

1) The permittee shall maintain records to demonstrate, and certify annually, that it is operating and maintaining one or more centralized deicing pads. This technology shall be operated and maintained according to the technical specifications set forth in Part V.Section S.(d)(2)(a-d) of this section.

   (a) Each centralized deicing pad shall be sized and sited in accordance with all applicable Federal Aviation Administration (FAA) advisory circulars.

   (b) Drainage valves associated with the centralized deicing pad shall be activated before deicing activities commence, to collect available ADF.

(c) The centralized deicing pad and associated collection equipment shall be installed and maintained per any applicable manufacturers' instructions, and shall be inspected, at a minimum, at the beginning of each deicing season to ensure that the pad and associated equipment are in working condition.

(d) All aircraft deicing shall take place on a centralized deicing pad, with the exception of defrosting and deicing for safe taxiing.

2) Alternative technology or specifications. This general permit may allow one of the following alternative procedures for demonstrating compliance with its collection requirement, instead of the procedure mentioned above in Part V.Section S.(d)(2)(a-d) of the section above.

(a) Using a different ADF collection technology from the centralized deicing pad technology specified in Part V.Section S.(d)(2)(a-d) of this section; or

(b) Using the same ADF collection technology, but with different specifications for operation and/or maintenance.

3) The permittee shall collect and maintain on site during the term of the permit, up to five years of records of the annual volume of ADF used.

(d) Monitoring and Sampling

Monitoring and sampling for COD and Ammonia shall be conducted at a location where the effluent leaves the on-site treatment system and prior to commingling with non-deicing wastestreams.

(e) Recordkeeping

The permittee shall maintain onsite records for five years of the following documentation:

a. Wastewater samples collected and analyzed;

b. Certifications;

c. Equipment maintenance schedules and agreement; and

d. If using volumes of ADF applied/collected, records of these amounts.

(f) Reporting Requirements. Monitoring for compliance with numeric effluent limitations in this section is subject to the following requirements:

1) Results of monitoring must be recorded on a discharge monitoring report (DMR). The DMR must either be an original EPA No. 3320-1 form, a duplicate of the form, or as otherwise provided by the executive director.

2) Monitoring must be conducted prior to December 31st for each annual monitoring period and the DMR must be submitted to the TCEQ by March 31st of the following year, as described in Part III, Section E.6. of this permit.

3) In addition, a copy of the DMR must either be retained at the facility or must be made readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction by March 31st following the annual monitoring period.

(g) Additional SWP3 Requirements.

The following SWP3 requirements must be conducted in addition to those listed in Part V. S.6. Permittees shall document and describe the following:

a. Number of jet departures and deicing operations at the airport.
b. Type of deicing agent used and keep deicing activity log.
c. Method of deicing agent collection
d. Compliance with 60% collection requirements, as applicable.
e. Monitoring and frequencies of sampling.

7. Benchmark Monitoring Requirements

(a) Benchmark monitoring is only required for permittees conducting deicing activities that have used more than 100 tons of urea, or more than 100,000 gallons of ethylene glycol-based chemicals on an average annual basis. These volumes of deicing materials refer to the combined activities and usage at the airport as a whole, and not independently to each carrier or operator.

(1) Benchmark monitoring is required of all permittees who used urea or glycol-based deicing chemicals at an airport where the total amount used at the airport meets the criteria listed in this section. Benchmark sampling is not required of a permittee who does not use the listed chemicals, even if the airport did meet the volume criteria that trigger benchmark monitoring.

(2) Benchmark sampling is required at all outfalls that discharge runoff from areas where deicing with urea or glycol-based deicing chemicals is performed at an airport where the total amount used at the airport as a whole meets the criteria listed above.

(3) For those permittees required to conduct benchmark monitoring, the total number of benchmark samples required for the year must be collected during the deicing season when deicing activities are occurring.

(b) The following subsector must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

Table 31. Benchmark Monitoring Requirements for Subsections in Sector S

SIC Code	Description of Industrial Activity	Benchmark Parameter	Benchmark Value
4512 - 4581	Airport Transportation Facilities with Deicing Activities*	COD Ammonia-Nitrogen pH	60 mg/L 1.7 mg/L 6.0-9.0 S.U.

*For airports where a single permittee, or a combination of permitted facilities use more than 100,000 gallons of glycol-based deicing chemicals and / or 100 tons or more of urea on a an average annual basis.

Section T. Sector T of Industrial Activity - Treatment Works

1. Description of Industrial Activity

The requirements of this general permit apply to stormwater discharges from activities identified and described as Sector T. Sector T industrial activities are described by the following Industrial Activity Code:

SECTOR T: TREATMENT WORKS

Activity Codes and Description of Industry Sub-sector

TW Certain Wastewater Treatment Plants

(For detailed information about each SIC code, see Part II, Section A.1.b)

2. Covered Stormwater Discharges

The requirements of this general permit apply to stormwater discharges from domestic wastewater treatment plants with a design flow of 1.0 million gallons per day or more that treat, store, recycle, or reclaim domestic sewage, wastewater or sewage sludge (including dedicated lands for sewage sludge disposal located within the onsite property boundaries); or that are required to have an approved pretreatment program (under 40 CFR Part 403).

3. Limitations on Permit Coverage

(a) Prohibition of Wastewater Discharges. The discharge of sanitary wastewater, industrial wastewater, equipment and vehicle wash water, or other wastewater is not authorized by this permit.

(b) Discharge to Wastewater Plant Headworks. Facilities that route all stormwater runoff to the wastewater treatment facility headworks in accordance with an individual TPDES permit are not required to obtain additional coverage through this general permit.

4. Additional SWP3 Requirements

The following SWP3 requirements must be conducted in addition to those listed in Part III of this general permit:

(a) Employee Training. At a minimum, training must address the following areas when applicable to a facility: petroleum product management; process chemical management; spill prevention and controls; fueling procedures; general good housekeeping practices; and proper procedures for using fertilizer, herbicides, and pesticides. These requirements are in addition to the training requirements listed in Part III, Section A.4.(f) of this permit.

(b) Site Map. The permittee shall document in the SWP3 where any of the following may be exposed to precipitation or surface runoff: grit, screenings, and other solids handling, storage, or disposal areas; sludge drying beds; dried sludge piles; compost piles; septage or hauled waste receiving station; and storage areas for process chemicals, petroleum products, solvents, fertilizers, herbicides, and pesticides.

(c) Potential Pollutant Sources. The permittee shall document in the SWP3 the following additional sources and activities that have potential pollutants associated with them, if present at the site: grit, screenings, and other solids handling, storage, or disposal areas; sludge drying beds; dried sludge piles; compost piles; septage or hauled waste receiving station; and access roads and rail lines.

(d) Wastewater and Wash Water Requirements. The permittee shall either retain a copy, or reference the location where a copy is located, of all current TPDES permits issued for wastewater and industrial, vehicle and equipment wash water discharges for the facility in the SWP3. If a TPDES permit has not yet been issued, a copy of the pending application(s) must also be kept or referenced in the SWP3. If the wastewater or wash water is handled in another manner, then the SWP3 must describe the disposal method and all pertinent documentation must be retained onsite.

(e) Additional Inspection Requirements. In addition to the information that must be included in the inspections required in Part III of this permit, the following areas must

be inspected as well: access roads and rail lines; grit, screenings, and other solids handling, storage, or disposal areas; sludge drying beds; dried sludge piles; compost piles; and septage or hauled waste receiving station.

5. Benchmark Monitoring Requirements

The following subsections must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

Table 32. Benchmark Monitoring Requirements in Subsections in Sector T

Activity Code	Description of Industrial Activity	Benchmark Parameter	Benchmark Value
TW	Certain Wastewater Treatment Plants	BOD5	20 mg/L

Section U. Sector U of Industrial Activity - Food and Kindred Products Facilities

1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector U. Sector U industrial activities are described by the following SIC codes:

SECTOR U: FOOD AND KINDRED PRODUCTS FACILITIES

SIC Codes *Description of Industry Sub-sector*

2011 – 2015 Meat Products

2021 – 2026 Dairy Products

2032 - 2038 Canned, Frozen and Preserved Fruits, Vegetables and Food Specialties

2041 - 2048 Grain Mill Products

2051 - 2053 Bakery Products

2061 - 2068 Sugar and Confectionery Products

2074 - 2079 Fats and Oils

2082 - 2087 Beverages

2091 - 2099 Miscellaneous Food Preparations and Kindred Products

2111 - 2141 Tobacco Products

(For detailed information about each SIC code, see Part II, Section A.1.b)

2. Limitations on Coverage

Prohibition of Wastewater Discharges. The following discharges are not authorized by this permit: boiler blowdown, cooling tower overflow and blowdown, ammonia refrigeration purging, and vehicle washing and clean-out operations.

3. Additional SWP3 Requirements

Employee Training Program and Employee Education. The program must include training in pest control application procedures and chemical storage procedures.

Inventory of Exposed Materials. The inventory must include a list of the pesticides, rodenticides, herbicides, and fungicides applied or stored on the facility property.

Narrative Description. A narrative description of all activities and potential sources of pollutants that may reasonably be expected to add significant amounts of pollutants to stormwater discharges from pest control and chemical storage procedures must be included.

Site Map. The site map must clearly show the location of vent stacks for cooking, drying, and similar operations, dry product vacuum transfer lines; animal holding pens; spoiled product and broken product container storage areas; and any other processing or storage areas exposed to stormwater.

Best Management Practices. This section of the SWP3 must include BMPs for cleaning procedures for vent hoods, storage and baking racks, bins and refuse containers, and other similar cleaning activities, to ensure that cleaning these items does not contribute pollutants to stormwater runoff.

4. Benchmark Monitoring Requirements

The following subsections must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

Table 33. Benchmark Monitoring Requirements in Subsections in Sector U

SIC Code	Description of Industrial Activity	Benchmark Parameter	Benchmark Value
2041-2048	Grain Mill Products	TSS	50 mg/L
2074-2079	Fats and Oils	COD Nitrate + Nitrite N TSS	60 mg/L 0.68 mg/L 100 mg/L

Section V. Sector V of Industrial Activity - Textile Mills, Apparel, and Other Fabric Product Manufacturing Facilities

1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector V. Sector V industrial activities are described by the following SIC codes:

SECTOR V: TEXTILE MILLS, APPAREL, AND OTHER FABRIC PRODUCT MANUFACTURING FACILITIES

SIC Codes *Description of the Industrial Activity*

2211 – 2299 Textile Mill Products

2311 – 2399 Apparel and Other Finished Products Made From Fabrics and Similar Materials

3131 – 3199 Leather and Leather Products, except Leather Tanning and Finishing (See Sector Z)

(For detailed information about each SIC code, see Part II, Section A.1.b)

2. Limitations on Coverage

Prohibition of Wastewater Discharges. The following discharges are not allowed under this general permit: wastewater resulting from wet processing or from any processes relating to the production; reused or recycled water; and waters used in cooling towers. These types of discharges must be authorized under a separate TPDES permit or other authorized means.

3. Additional SWP3 Requirements

(a) The permittee shall minimize the discharge of pollutants from the following areas:

(1) Material handling areas. The permittee shall plainly label and store all containerized materials (e.g., fuels, petroleum products, solvents, and dyes) in a protected area and away from drains, and shall minimize the potential for stormwater to contact such storage areas. When storing empty chemical drums or containers, the permittee shall ensure that the drums and containers are clean and that there is no contact of residuals with precipitation or runoff, and shall properly collect and dispose of wash water from drum and container cleanings.

(2) Material storage areas

(3) Fueling areas.

(4) Above-Ground Storage Tank areas, including the associated piping and valves.

(b) Employee Training. Employee training must include the following activities, as applicable:

(1) use of reused and recycled waters;

(2) solvents management, proper disposal of dyes;

(3) spill prevention and control;

(4) fueling procedures; and

(5) management and proper disposal of any solvents, petroleum products, spent lubricants, dyes, and other chemicals used at the facility.

(c) Narrative Description. The SWP3 must include a narrative description of all activities and potential sources of pollutants that may reasonably be expected to add significant amounts of pollutants to stormwater discharges from industry specific activities in the SWP3 and including the following: backwinding; beaming; bleaching; backing; bonding carbonizing; carding; cut and sew operations; desizing; drawing; dyeing; flocking; fulling; knitting; mercerizing; opening; packing; plying; scouring; slashing; spinning; synthetic-felt processing; textile waste processing; tufting; turning; weaving; web forming; winging; yarn spinning; and yarn texturing.

(d) Spill Prevention and Response Measures. The SWP3 must include measures to inspect, evaluate, and replace connections, valves, transfer lines and pipes that carry chemicals, dyes, or waste. All chemicals must be stored in a protected area, away from drains, and clearly labeled.

(e) The SWP3 must include specific measures to prevent or minimize contamination of stormwater runoff from above ground storage tank areas.

(f) Routine Facility Inspections. Inspection procedures must be developed according to the standard periodic inspection requirements described in Part III, Section B.2. of this general permit, but must be conducted at least once per month in material storage areas, material transfer lines and areas, spill prevention, good housekeeping practices, management of process waste products, and all structural and non-structural management practices.

Section W. Sector W of Industrial Activity - Wood and Metal Furniture and Fixture Manufacturing Facilities

4. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector W. There are no additional requirements under this section that apply to stormwater

discharges from activities identified and described as Sector W. Sector W industrial activities are described by the following SIC codes:

SECTOR W: FURNITURE AND FIXTURES

SIC Codes	*Description of Industry Sub-sector*
2434	Wood Kitchen Cabinets
2511 – 2599	Furniture and Fixtures

Section X. Sector X of Industrial Activity - Printing and Publishing Facilities

1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector X. Sector X industrial activities are described by the following SIC codes:

SECTOR X: PRINTING AND PUBLISHING

SIC Codes	*Description of Industry Sub-sector*
2711 – 2796	Printing, Publishing, and Allied Industries

(For detailed information about each SIC code, see Part II, Section A.1.b)

2. Covered Stormwater Discharges

Facilities described by any of the SIC codes listed above, that conduct publishing or designing activities without printing, are designated for coverage under this general permit and are not required to submit an NOI for coverage nor an NEC for a no exposure exclusion. These facilities must comply with the following permit requirements and are not subject to additional requirements that are listed in this permit:

(a) The facility must maintain conditions that ensure there is no exposure of industrial activities to stormwater; and

(b) The facility operator must comply with the requirements of Part III, Section E. of this general permit, related to Standard Permit Conditions, except that the operator is not required to submit an NOI or NEC form, prepare a SWP3, or conduct analytical monitoring.

The facility operator must apply for coverage if either of the requirements listed above are not met. If the TCEQ determines that additional controls are required other than those listed above, or if there is a concern regarding the discharge of elevated levels of pollutants, then the TCEQ may require a facility described by SIC codes 2711 – 2796 and that does not have any printing activities to obtain coverage and meet all permit conditions through submittal of an NOI or an individual permit application.

3. Additional SWP3 Requirements

(a) Spill Prevention and Response Measures.

(1) The spill prevention and response measures section of the SWP3 must include measures to inspect, evaluate, and replace connections, valves, transfer lines, and pipes that carry chemicals or wastes.

(2) All chemicals (e.g. fuels, solvents, dyes, inks) must be stored in a protected area, away from drains, and clearly labeled.

(3) The SWP3 must include specific measures to prevent or minimize contamination of stormwater runoff from above ground storage tank areas and fueling areas.

(b) Material Storage Areas. The permittee shall minimize the discharge of pollutants from storage areas for containerized materials (e.g., skids, pallets, solvents, bulk inks, hazardous waste, empty drums, portable and mobile containers of plant debris, wood crates, steel racks, and fuel oil). These materials must be plainly labeled and stored in a protected area, away from drains.

(c) The SWP3 must include a narrative description of all activities and potential sources of pollutants that may reasonably be expected to add significant amounts of pollutants to stormwater discharges from industry specific activities, including blanket wash and solvent mixing operations in the SWP3 as well as the containment area(s) or enclosures for materials that are stored outdoors.

(d) Material Handling Area. Minimize contamination of stormwater runoff from material handling operations and areas (e.g., blanket wash, mixing solvents, loading and unloading materials). Consider the following (or their equivalents): using spill and overflow protection, covering fueling areas, and covering or enclosing areas where the transfer of materials may occur. When applicable, address the replacement or repair of leaking connections, valves, transfer lines, and pipes that may carry chemicals or wastewater.

(e) Employee Training. The program must include training in the management and disposal of any solvents, other petroleum products, dyes, other chemicals used at the facility, and general good housekeeping practices. These requirements are in addition to the SWP3 requirements in Part III, Section A.4 of this permit.

Section Y. Sector Y of Industrial Activity - Rubber and Miscellaneous Plastic Products, and Miscellaneous Manufacturing Facilities

1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector Y. Sector Y industrial activities are described by the following SIC codes:

SECTOR Y: RUBBER, MISCELLANEOUS PLASTIC PRODUCTS, AND MISCELLANEOUS MANUFACTURING FACILITIES

SIC Codes	*Description of Industry Sub-sector*
3011	Tires and Inner Tubes
3021	Rubber and Plastics Footwear
3052, 3053	Gaskets, Packing, and Sealing Devices and Rubber and Plastics Hose and Belting
3061, 3069	Fabricated Rubber Products, Not Elsewhere Classified
3081 – 3089	Miscellaneous Plastics Products
3931	Musical Instruments
3942 – 3949	Dolls, Toys, Games and Sporting and Athletic Goods
3951 – 3955,	except 3952 (see Sector C) - Pens, Pencils, and Other Artists' Materials (except certain inks and paints as specified in Sector C)
3961, 3965	Costume Jewelry, Costume Novelties, Buttons, and Miscellaneous Notions, Except Precious Metal
3991 – 3999	Miscellaneous Manufacturing Industries

(For detailed information about each SIC code, see Part II, Section A.1.b)

2. Additional SWP3 Requirements

(a) Narrative Description. The SWP3 must include a narrative description that includes a review of the use of any zinc at the facility and possible pathways where zinc could contaminate stormwater runoff.

(b) Good Housekeeping Measures. This section of the SWP3 must include specific measures to minimize potential exposure of pollutants to stormwater.

(1) Rubber Manufacturing: The operator of a rubber manufacturing facility shall minimize or prevent the discharge of zinc in stormwater runoff. All rubber manufacturing facilities must include specific BMPs and controls to minimize the contamination of stormwater from the handling and storage of zinc. Potential sources of zinc must be identified and the accompanying BMPs must be evaluated and incorporated into the SWP3 and implemented at the facility (as appropriate);

a. zinc bags must be stored indoors;

b. the permittee shall ensure headspace in containers to minimize “puffing” losses when the containers are opened;

c. where feasible, the permittee shall ensure that there is no exposure of waste disposal dumpsters to stormwater (e.g., store indoors or provide a cover and liner for the dumpster);

d. repair or replace improperly operating dust collectors and baghouses, as appropriate;

e. minimize dust generation from rubber grinding operations;

f. reduce the possible contamination of stormwater by drips and spills of zinc stearate slurry; and

g. identify specific measures for zinc spill cleanup so that the cleanup may be completed without washing the spill into the storm drain.

(2) Plastics Manufacturing: The operator of a plastic products manufacturing facility shall minimize the possibility of discharging plastic resin pellets in stormwater discharges from the facility by implementing control measures (or their equivalents) that include: minimizing spills, cleaning up of spills promptly and thoroughly, sweeping thoroughly, capturing pellets, employee education and training, and using precautions for disposal.

3. Benchmark Monitoring Requirements

The following subsections must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

Table 5. Benchmark Monitoring Requirements for Subsections in Sector Y

SIC Code	Description of Industrial Activity	Benchmark Parameter	Benchmark Value
3011	Tires and Inner Tubes	Zinc, total	0.16 mg/L
3021	Rubber and Plastics Footwear	Zinc, total	0.16 mg/L
3052, 3053	Gaskets, Packing, and Sealing Devices; and Rubber and Plastics Hose and Belting	Zinc, total	0.16 mg/L
3061	Molded, Extruded, and Lathe-Cut Mechanical Rubber Goods	Zinc, total	0.16 mg/L
3069	Fabricated Rubber Products, Not Elsewhere Classified	Zinc, total	0.16 mg/L

Section Z. Sector Z of Industrial Activity - Leather Tanning and Finishing Facilities

1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector Z. Sector Z industrial activities are described by the following SIC codes:

SECTOR Z: LEATHER TANNING AND FINISHING

SIC Codes *Description of Industry Sub-sector*

3111 Leather Tanning and Finishing

(For detailed information about each SIC code, see Part II, Section A.1.b)

2. Additional SWP3 Requirements

(a) Drainage Area Site Map. The drainage area site map must clearly show the location of the following activities, if these activities are exposed to stormwater: processing and storage areas of the beam house, tan yard and re-tan wet and dry finishing operations; haul roads; access roads; and rail spurs.

(b) Potential Pollutant Sources. Document the following sources and activities that have potential pollutants associated with them in the SWP3 (as appropriate): temporary or permanent storage of fresh and brine-cured hides; extraneous hide substances and hair; leather dust, scraps, trimmings, and shavings.

(c) Good Housekeeping Measures. The following requirements are in addition to the requirements in Part III, Section A.4. of this general permit, related to Pollution Prevention Measures and Controls. The permittee shall minimize the contact of stormwater from the following areas or materials, in order to reduce the potential to discharge contaminated stormwater:

(1) Storage areas for raw, semi-processed, or finished tannery by-products, including pallets and bales of raw, semi-processed or finished tannery by-products.

(2) Buffing and shaving areas.

(3) Receiving, unloading, and storage areas, if these areas are exposed.

(4) Outdoor storage of contaminated equipment.

(5) Waste Management Areas.

(d) Labeling. The permittee shall also label storage containers of all materials (e.g., specific chemicals, hazardous materials, spent solvents, waste materials).

Section AA. Sector AA of Industrial Activity - Fabricated Metal Products Facilities

1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector AA. Sector AA industrial activities are described by the following SIC codes:

SECTOR AA: FABRICATED METAL PRODUCTS FACILITIES

SIC Code	*Description of Industry Sub-sector*
3411 – 3499	Fabricated Metal Products, Except Machinery and Transportation Equipment
3911 – 3915	Jewelry, Silverware, and Plated Ware

(For detailed information about each SIC code, see Part II, Section A.1.b)

2. Pollution Prevention Measures and Controls

The following requirements are in addition to the requirements listed in Part III of this general permit.

(a) Good Housekeeping Measures. In addition to the Pollution Prevention Measures and Controls SWP3 requirements in Part III, Section A.4. of this general permit, the permittee must implement the following control measures, and must document in the SWP3 the measures being used for each measure. This section of the SWP3 must also define practices to prevent or minimize exposure of stormwater to metal fines and iron dust, solvents and paints, and also from sand where sandblasting operations are conducted.

(1) Raw Steel Handling Storage. Minimize the generation of or recover and properly manage scrap metals, fines, and iron dust. Include measures for containing materials within storage handling areas.

(2) Paints and Painting Equipment. Minimize exposure of paint and painting equipment to stormwater.

(b) Spill Prevention and Response Procedures. Ensure that the necessary equipment to implement a cleanup is available to personnel by addressing the following areas:

(1) Metal Fabricating Areas. Maintain clean, dry, orderly conditions in these areas.

(2) Storage Areas for Raw Metal. Keep these areas free of conditions that could cause, or impede appropriate and timely response to, spills or leakage of materials.

(3) Metal Working Fluid Storage Areas. Minimize the potential for stormwater contamination from storage areas for metal working fluids.

(4) Cleaners and Rinse Water. Control and clean up spills of solvents and other liquid cleaners, control sand buildup and disbursement from sand-blasting operations, and prevent exposure of recyclable wastes. Substitute environmentally benign cleaners when possible.

(5) Lubricating Oil and Hydraulic Fluid Operations. Minimize the potential for stormwater contamination from lubricating oil and hydraulic fluid operations. Consider using monitoring equipment or other devices to detect and control leaks and overflows. Consider installing perimeter controls such as dikes, curbs, grass filter strips, or equivalent measures.

(6) Chemical Storage Areas. Minimize stormwater contamination and accidental spillage in chemical storage areas. Include a program to inspect containers and identify proper disposal methods.

(c) Additional SWP3 Requirements

(1) Site Map. Document in the SWP3 where any of the following may be exposed to stormwater: raw metal storage areas; finished metal storage areas; scrap disposal collection sites; equipment storage areas; retention and detention basins; temporary and permanent diversion dikes or berms; right-of-way or perimeter diversion devices; sediment traps and barriers; processing areas, including outside painting areas; wood preparation; recycling; and raw material storage.

(2) Potential Pollutant Sources. Document in the SWP3 the following additional sources and activities that have potential pollutants associated with them: loading and unloading operations for paints, chemicals, and raw materials; outdoor storage activities for raw materials, paints, empty containers, corn cobs, chemicals, and scrap metals; outdoor manufacturing or processing activities such as grinding, cutting, degreasing, buffing, and brazing; onsite waste disposal practices for spent solvents, sludge, pickling baths, shavings, ingot pieces, and refuse and waste piles.

(d) Additional Inspection Requirements

(1) Inspection procedures must be developed according to the standard periodic inspection requirements described in Part III, Section B. of this general permit and conducted at least once per quarter in the following areas:

a. raw metal storage areas;

b. finished product storage areas;

c. material and chemical storage areas;

d. recycling areas;

e. loading and unloading areas;

f. equipment storage areas;

g. paint areas; and

h. vehicle fueling and maintenance areas.

(2) Comprehensive Site Inspections. As part of the annual comprehensive site compliance evaluation in Part III, Section B.5., the permittee must inspect areas associated with the storage of raw metals, spent solvents and chemicals storage areas, outdoor paint areas, and drainage from roof. Potential pollutants include chromium, zinc, lubricating oil, solvents, aluminum, oil and grease, methyl ethyl ketone, steel, and related materials.

3. Benchmark Monitoring Requirements

The following subsections must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

Table 35. Benchmark Monitoring Requirements for Subsections in Sector AA

SIC Code	Description of Industrial Activity	Benchmark Parameter	Benchmark Value
3411-3499 3911-3915	Fabricated Metal Products Except Coating	Aluminum, total Iron, total Zinc, total Nitrate + Nitrite N TSS	1.2 mg/L 1.3 mg/L 0.16 mg/L 0.68 mg/L 50 mg/L
3479	Fabricated Metal Coating and Engraving	Zinc, total Nitrate + Nitrite N	0.16 mg/L 0.68 mg/L

Section AB. Sector AB of Industrial Activity - Transportation Equipment and Industrial or Commercial Machinery Manufacturing Facilities

1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector AB. Sector AB industrial activities are described by the following SIC codes:

SECTOR AB: TRANSPORTATION EQUIPMENT, INDUSTRIAL OR COMMERCIAL MACHINERY MANUFACTURING FACILITIES

SIC Codes *Description of the Industrial Activity*

3511 – 3599, except 3571 – 3579 (see Sector AC) - Industrial and Commercial Machinery, except Computer and Office Equipment (see Sector AC)

3711 – 3799, except 3731, 3732 (see Sector R) - Transportation Equipment,except Ship and Boat Building and Repairing (see Sector R)

(For detailed information about each SIC code, see Part II, Section A.1.b)

2. Additional SWP3 Requirements

Drainage Area Site Map. The site map must clearly show the location of vents and stacks from metal processing and similar areas.

Section AC. Sector AC of Industrial Activity – Electronic and Electrical Equipment/ Components, and Photographic/ Optical Goods Manufacturing Facilities

1. Description of Industrial Activity

There are no additional requirements under this section that apply to stormwater discharges from activities identified and described as Sector AC. Sector AC industrial activities are described by the following SIC codes:

SECTOR AC: ELECTRONIC, ELECTRICAL, PHOTOGRAPHIC, AND OPTICAL GOODS

SIC Codes *Description of the Industrial Activity*

3571 – 3579 Computer and Office Equipment

3612 – 3699 Electronic, Electrical Equipment and Components, except Computer Equipment

3812 – 3873 Measuring, Analyzing and Controlling Instrument; Photographic and Optical Goods

(For detailed information about each SIC code, see Part II, Section A.1.b)

Section AD Sector AD of Industrial Activity - Miscellaneous Industrial Activities

1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector AD. Sector AD industrial activities are described by the following Industrial Activity Code:

SECTOR AD: MISCELLANEOUS INDUSTRIAL ACTIVITIES

Activity Codes and Description of the Industrial Activity

Limited to facilities that are designated by the executive director as needing a permit to control pollution related to stormwater discharges and that do not meet the description of an industrial activity covered by Sectors A-AC

2. Limitations on Permit Coverage

(a) Facilities may not request general permit coverage under Sector AD. Coverage under this sector is reserved for those facilities that are designated by the executive director as eligible for coverage under this sector of this general permit. The executive director may designate a facility based on site specific considerations such as water quality impacts. A designation may be made based on information obtained during a site inspection or other means, if it is determined that the discharge would be appropriately regulated under this general permit rather than an individual stormwater permit.

(b) Facilities that are determined by the executive director to need controls in addition to the requirements in Part II and Part III of this general permit will be required to obtain an individual TPDES permit.

3. SWP3 and Other Requirements

The permittee must implement the controls and measures described in Part III of this general permit for all regulated areas of the facility.

4. Co-located Activities

Where co-located industrial activities occur (refer to Part II, Section A.3. of this general permit), the additional conditions and requirements in Part V of this general permit for each of these activities also apply.

5. Benchmark Monitoring Requirements

All facilities authorized under this section must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

Table 36. Benchmark Monitoring Requirements for Sector AD

Activity Code	Description of Industrial Activity	Benchmark Parameter	Benchmark Value
AD	Miscellaneous Industrial Activities	pH TSS COD Oil and Grease	6.0-9.0 S.U. 100 mg/L 60 mg/L 10 mg/L