

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## NOTICE OF A PUBLIC MEETING AND A PROPOSED RENEWAL WITH AMENDMENT OF A GENERAL PERMIT AUTHORIZING THE DISCHARGE OF STORMWATER ASSOCIATED WITH CONSTRUCTION ACTIVITIES

The Texas Commission on Environmental Quality (TCEQ or commission) proposes to renew and amend the Texas Pollutant Discharge Elimination System (TPDES) General Permit Number TXR150000, authorizing the discharge of stormwater and certain non-stormwater discharges from construction activities into or adjacent to surface water in the state. The proposed general permit applies to the entire state of Texas. General permits are authorized by Texas Water Code §26.040.

**PROPOSED GENERAL PERMIT.** The executive director has prepared a proposed general permit with amendments to the existing general permit authorizing the discharge of stormwater and certain types of non-stormwater from small construction sites (one acre to less than five acres) and large construction sites (five acres or larger) into or adjacent to surface water in the state. The proposed changes to the general permit are described in the fact sheet.

The executive director proposes to require dischargers to submit a Notice of Intent (NOI) to obtain authorization to discharge. The proposed general permit also specifies when permit coverage can be obtained without submitting a NOI, when a waiver from permit coverage may be obtained, and when permit coverage under a separate individual TPDES permit must be obtained. This general permit would also authorize the discharge of stormwater from industrial activities at construction sites that directly support the construction activity and are located at, adjacent to, or in close proximity to the permitted construction site. Non-stormwater discharges that are not specifically listed in the general permit are not authorized by the general permit. No significant degradation of high quality waters is expected and existing uses will be maintained and protected.

The executive director has reviewed this action for consistency with the goals and policies of the Texas Coastal Management Program (CMP), according to General Land Office regulations, and has determined that the action is consistent with applicable CMP goals and policies.

A copy of the proposed general permit and fact sheet are available for viewing and copying at the TCEQ Office of the Chief Clerk located at the TCEQ's Austin office, at 12100 Park 35 Circle, Building F. These documents are also available at the TCEQ's 16 regional offices and on the TCEQ website at <https://www.tceq.texas.gov/permitting/stormwater>.

**PUBLIC COMMENT AND PUBLIC MEETING.** You may submit public comments about this general permit in writing or orally at the public meeting held by the TCEQ. The purpose of a

public meeting is to provide the opportunity to submit written or oral comments or to ask questions about the general permit. A public meeting is not a contested case hearing.

The public meeting will be held at **1:30 p.m., September 18, 2017**, in TCEQ's complex at 12100 Park 35 Circle, Building E, Room 201S, Austin, Texas.

**Written public comments must be received within 30 days from the date this notice is published. Written comments may be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087 or electronically at <https://www.tceq.texas.gov/about/comments.html>.**

**APPROVAL PROCESS.** After the comment period, the executive director will consider all the public comments and prepare a written response. The response will be filed with the TCEQ Office of the Chief Clerk at least ten days before the scheduled commission's agenda meeting when the commission will consider approval of the general permit. The commission will consider all public comments in making its decision and will either adopt the executive director's response or prepare its own response to the comments. The commission will issue its written response on the general permit at the same time the commission issues or denies the general permit. A copy of any issued general permit and Response to Comment will be made available to the public for inspection at the agency's Austin office, regional offices, and via weblink. A notice of the commissioners' action on the proposed general permit and a copy of its Response to Comment will be mailed to each person who submitted public comment or requested to be on the mailing list. Also, a notice of the Commission's action on the proposed general permit with a weblink to the Response to Comment will be published in the *Texas Register*.

**MAILING LISTS.** In addition to submitting public comments, you may ask to be placed on a mailing list to receive future public notices mailed by the Office of the Chief Clerk. You may request to be added to: 1) the mailing list for this specific general permit; 2) the permanent mailing list for a specific county; or 3) both. Clearly specify the mailing lists to which you wish to be added and send your request to the TCEQ Office of the Chief Clerk at the address previously mentioned. Unless you otherwise specify, you will be included only on the mailing list for this specific general permit.

**INFORMATION.** If you need more information about the proposed general permit or the permitting process, please call the TCEQ Public Education Program, toll free, at 1-800-687-4040. General information about the TCEQ can be found at our website at <https://www.tceq.texas.gov>.

Further information may also be obtained by calling the Stormwater and Pretreatment Team, TCEQ Water Quality Division, at (512) 239-4671.

*Si desea información en Español, puede llamar 1-800-687-4040.*

Issued: August 7, 2017