Industrial Stormwater Multi-Sector General Permit (MSGP)

TXR050000

TCEQ Stormwater Stakeholder Meeting
October 18, 2019

Texas Commission on Environmental Quality
Water Quality Division – Stormwater Team

Renewal of TPDES MSGP TXR050000

Existing permit:

- Effective August 14, 2016
- Expires August 14, 2021

Universe (Sep. 2019):

- 8,636 NOIs
- 3,831 NECs

TXR050000 Renewal Kick-off

Renewal process began September 2019

- Renewal was announced to permittees and stakeholders
- TCEQ webpages updated
- Internal comments requested from TCEQ program areas
- Reviewed comments received during current permit cycle
- Stakeholder meeting - October 18, 2019

- Stakeholder comments due by **Nov. 1th, 2019**

TXR050000 Renewal Timeline

September 2019
Begin Renewal Process

October 2019
Stakeholder Meeting

March 2020
Finalize Draft of MSGP

April 2020
Upper Management Briefings

May-July 2020
EPA Review (90 days)

December 2020
Public Notice in *Texas Register*
(30 day comment period)

July 2021
Commissioners' Agenda for Adoption

MSGP TXR050000

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

- Stormwater discharges directly related to manufacturing, processing or raw materials storage areas at an industrial facility

Stormwater Discharges Requiring MSGP Authorization

Stormwater discharges associated with industrial activity as defined in 40 CFR § 122.26(b)(14)(i) through (xi)

Divided into 30 Sectors - A to AD

Coverage is based upon:

Standard Industrial Classification (SIC) Codes

Activity Codes

Discharges subject to federal effluent guidelines under 40 CFR Parts 400-471

MSGP Requirements

- Develop and implement a Stormwater Pollution Prevention Plan (SWP3)
- Submit an application (Notice of Intent, NOI)
- Perform sampling for pollutants with numeric effluent limits, if required
- Perform quarterly visual monitoring
- Perform quarterly inspections of controls
- Perform Benchmark sampling, if required
- Annual Report

Proposed Changes to Existing Permit

Additions and Updates

- Add NAICS codes to SIC code tables
- Change provisional coverage for paper applications to 48 hours
- Change submittal of Delegation of Signatory Letters
  - Submit Delegation form in STEERS

Proposed Changes to Existing Permit

Clarifications

- Reporting requirements for Sector Specific Numeric Effluent Limitations
  - Improve tables in Part V to clarify which activities require monitoring
  - Consolidate reporting requirements
    - Move requirements to Part III

Proposed Changes to Existing Permit

Monitoring & Reporting Requirements

- Electronic Reporting/ NetDMR requirements
  - Update NetDMR reporting requirements for each monitoring type
  - *No change in submittal deadlines*
- Add requirement to document criteria used to claim Hazardous Metals Monitoring Waiver in SWP3

Proposed Changes to Existing Permit

Monitoring & Reporting Requirements

- Adjust two benchmark values
  - Total Suspended Solids (TSS)
    - Sector U (SIC codes 2074-2079)
  - Biochemical Oxygen Demand (BOD_5)
    - Sector T (Activity code TW)

Proposed Changes to Existing Permit

NOI & NOC Changes and Clarifications

- Notice of Intent (NOI): Addition of the following items
  - Sector Specific activities with Numeric Effluent Limitations
  - Discharging a Pollutant of Concern
  - Facility status – active/inactive

Proposed Changes to Existing Permit

NOI & NOC Changes and Clarifications

- Notice of Change (NOC): New items include
  - Discharging a Pollutant of Concern
  - Facility status - active/inactive
  - Outfall locations
  - Waiver from Monitoring (benchmark, hazardous metals)

Proposed Changes to Existing Permit

Sector Specific Changes

- Sector J - Add additional SWP3 requirements based on Construction General Permit TXR150000
  - Off-site Vehicle Tracking
  - Dewatering activities
- Sector L – Add definitions
  - Final Cover
  - Intermediate Cover

Proposed Changes to Existing Permit

Sector Specific Changes

- Sector L - *continued*
  - *Additional SWP3 Requirements –*
    - Revise language for site map elements
  - Editorial Changes – update unclear language and add /revise tables

MSGP Benchmark Monitoring Overview

- Used to characterize the discharge from regulated activities
- Benchmarks only required in certain sectors
- If monitoring results are higher than the benchmark values
  - Adjust best management practices and update SWP3.

MSGP Benchmark Monitoring Overview

- Sampling data submitted to TCEQ by March 31 of each year
- Waiver available for Years 3 and 4
  - If monitoring results indicate no exceedances in Years 1 and 2

MSGP Benchmark Analysis

- STEPS:
  1. Review past analysis of benchmarks
     - Each permit term data are analyzed for setting future benchmarks
       - Benchmarks are typically near median values or higher
       - Benchmarks can be lowered or increased at pollutant level
  2. Descriptive statistics (median, min/max, range, distribution)
  3. Analyze and recommend proposed changes
     - Comparison of data over time – 2011 vs 2016 vs 2021
     - Comparison of 2021 permit data to current benchmarks
     - Graph data

Historical Changes to Benchmark Values

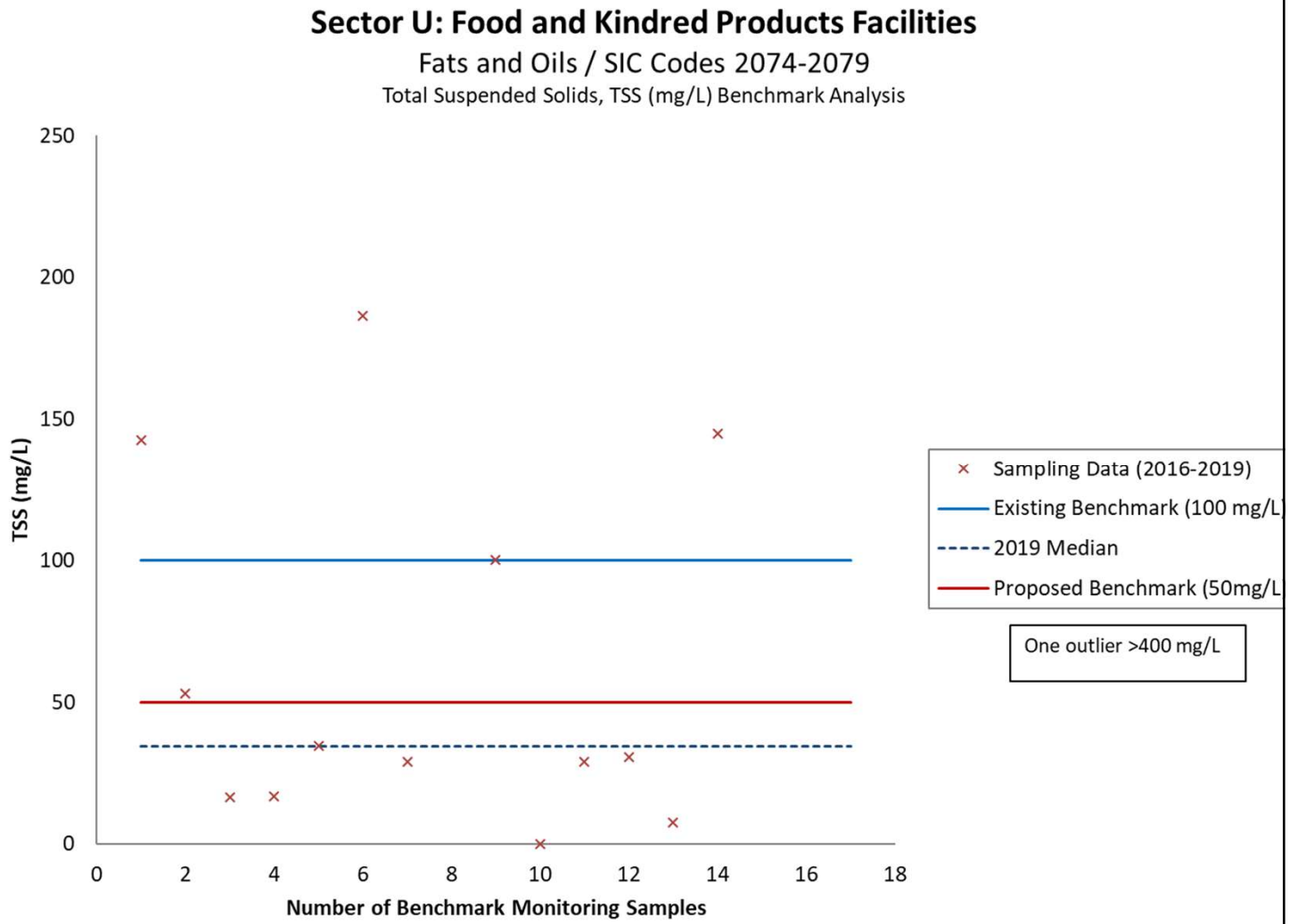
- 3 increased and 7 decreased
- 2 increased and 8 decreased
- 3 decreased

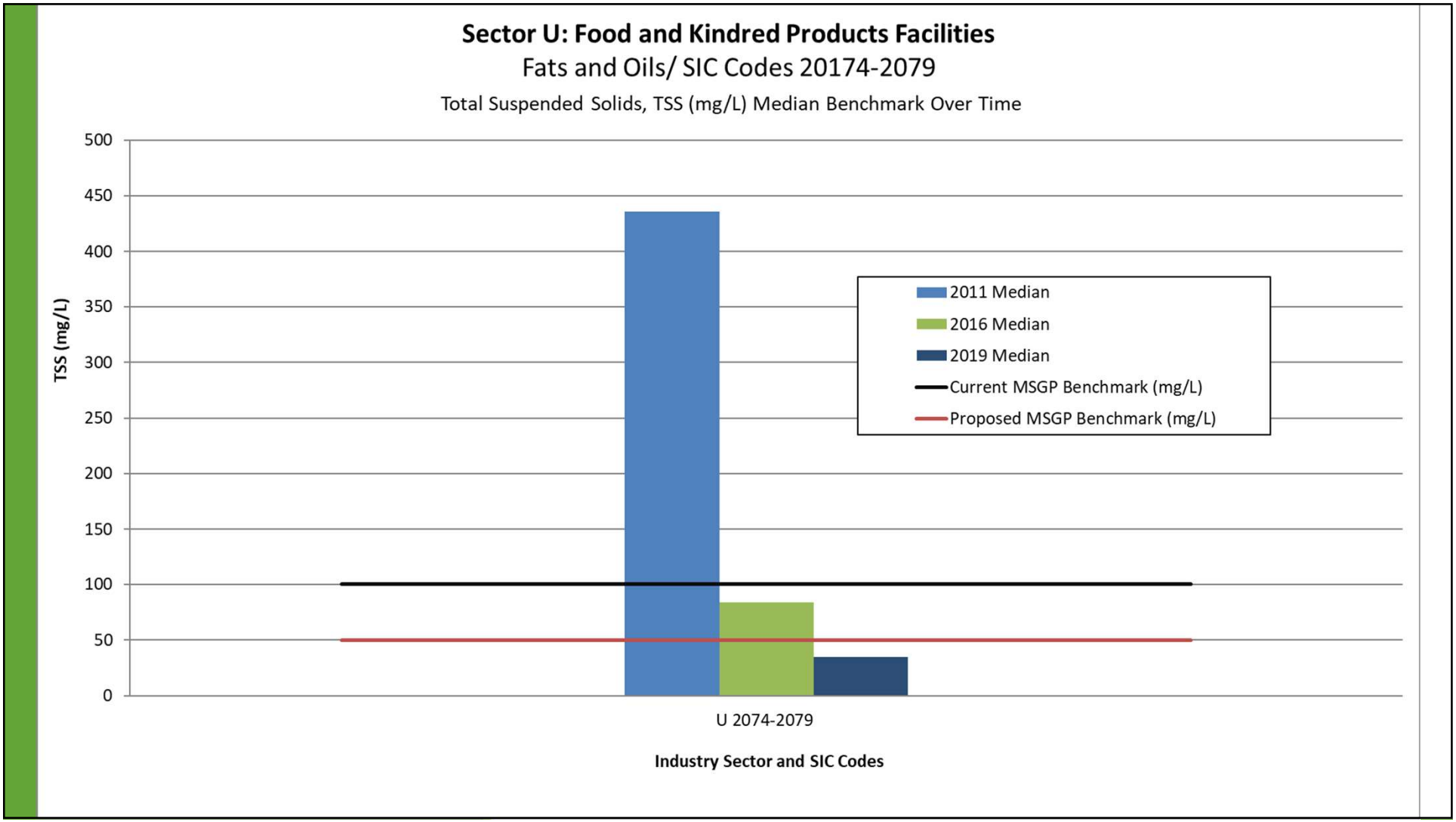
Summary of Proposed Changes to 2021 Benchmark Values

- Total Suspended Solids (TSS)
  - Lowered from 100 to 50 mg/L
    - Sector U - only for SIC Codes 2074-2079
- Biochemical Oxygen Demand (BOD_5)
  - Lowered from 20 to 15 mg/L
    - Sector T - Activity Code TW

MSGP Benchmark Analysis

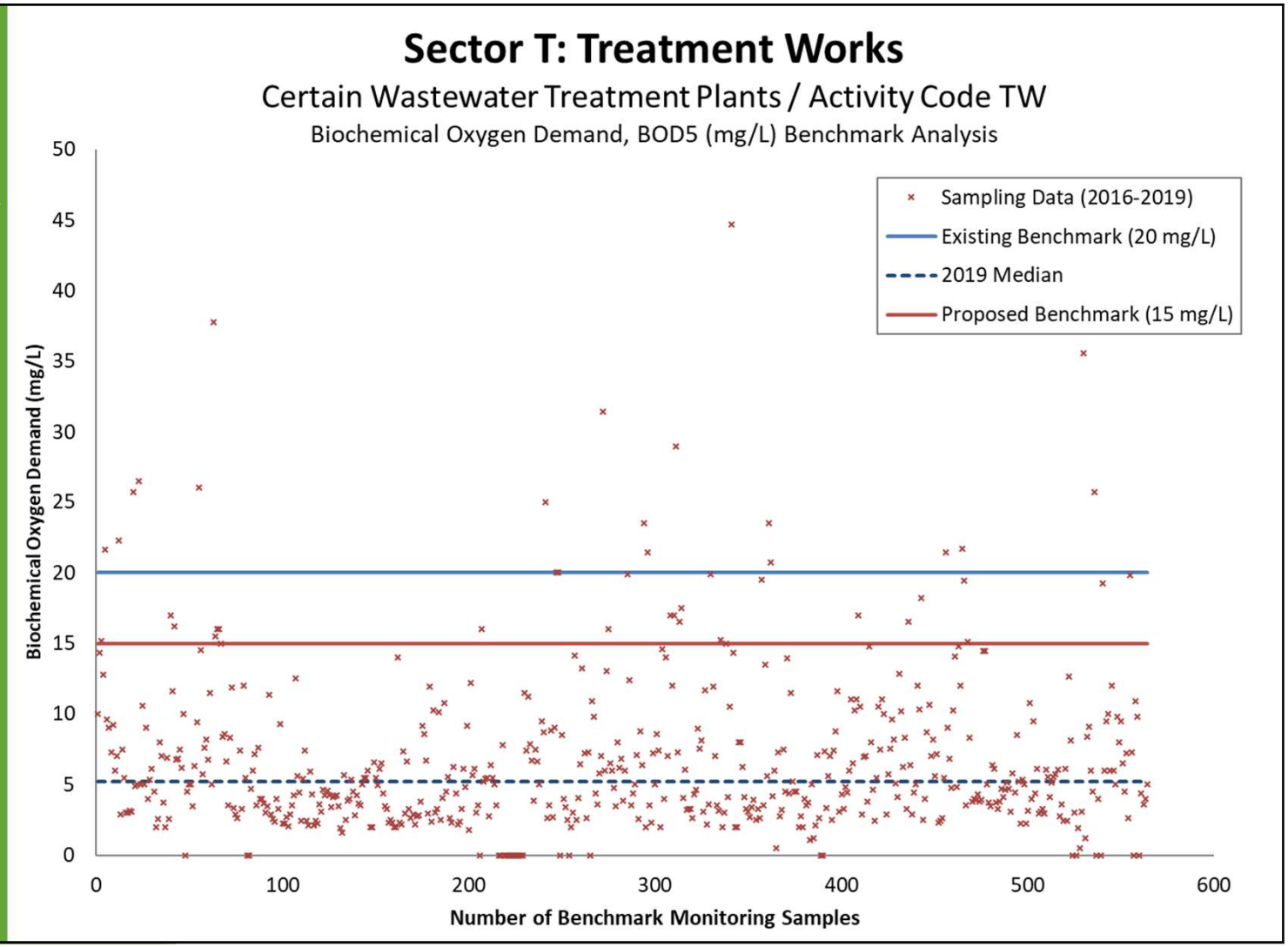
- 13 Samples
- Universe of 24




Sector U: Food and Kindred Products Facilities
Fats and Oils/ SIC Codes 20174-2079
Total Suspended Solids, TSS (mg/L) Median Benchmark Over Time
TSS (mg/L)
500
450
400
350
300
250
200
150
100
50
0
2011 Median
2016 Median
2019 Median
Current MSGP Benchmark (mg/L)
Proposed MSGP Benchmark (mg/L)
U 2074-2079
Industry Sector and SIC Codes

MSGP Benchmark Analysis

- 564 Samples
- Universe of 369



Proposed Changes to Existing Permit

Other Potential Changes

- Other items that might effect TCEQ's MSGP
  - EPA's 2020 MSGP
    - Draft expected November 2019
  - National Academies of Sciences (NAS) 2019 Study
    - EPA has been slow to adopt new knowledge and technology into MSGP permits

Proposed Changes to Existing Permit

Other Potential Changes

- NAS 2019 Study- *Continued*
  - Recommended improvements to EPA's MSGP:
    - Update benchmark monitoring requirements to incorporate new scientific information
    - Tiered approach to monitoring to improve quality of monitoring data & balance the burden to industry & permitting agencies
- For additional information about the NAS study:
  - http://dels.nas.edu/Report/Improving-Multi-Sector-General/25355

Stakeholder Comments and Input

- Submit comments to: SWGP@tceq.texas.gov
- Include subject line: “MSGP Renewal”
- Deadline:

Friday November 1, 2019

Contact Information

Stormwater Team

(512) 239-4671 - swgp@tceq.texas.gov

Stormwater Processing Center

(512) 239-3700 - swpermit@tceq.texas.gov

Small Business and Local Government Assistance (SBLGA)

1-800-447-2827

Stormwater Program Contacts

Stormwater Team

Rebecca L. Villalba, Team Leader
Macayla Coleman
Hanne Lehman Nielsen
Dan Siebeneicher
Alyssa Cook
Dalila Loiacomo
Kendra Mayfield
Dexter Thompson

Questions and Comments?