Texas Commission on Environmental Quality

Edwards Aquifer Application Cover Page

Our Review of Your Application

The Edwards Aquifer Program staff conducts an administrative and technical review of all applications. The turnaround time for administrative review can be up to 30 days as outlined in 30 TAC 213.4(e). Generally administrative completeness is determined during the intake meeting or within a few days of receipt. The turnaround time for technical review of an administratively complete Edwards Aquifer application is 90 days as outlined in 30 TAC 213.4(e). Please know that the review and approval time is directly impacted by the quality and completeness of the initial application that is received. In order to conduct a timely review, it is imperative that the information provided in an Edwards Aquifer application include final plans, be accurate, complete, and in compliance with 30 TAC 213.

Administrative Review

1. Edwards Aquifer applications must be deemed administratively complete before a technical review can begin. To be considered administratively complete, the application must contain completed forms and attachments, provide the requested information, and meet all the site plan requirements. The submitted application and plan sheets should be final plans. Please submit one full-size set of plan sheets with the original application, and half-size sets with the additional copies.

   To ensure that all applicable documents are included in the application, the program has developed tools to guide you and web pages to provide all forms, checklists, and guidance. Please visit the below website for assistance: http://www.tceq.texas.gov/field/eapp.

2. This Edwards Aquifer Application Cover Page form (certified by the applicant or agent) must be included in the application and brought to the administrative review meeting.

3. Administrative reviews are scheduled with program staff who will conduct the review. Applicants or their authorized agent should call the appropriate regional office, according to the county in which the project is located, to schedule a review. The average meeting time is one hour.

4. In the meeting, the application is examined for administrative completeness. Deficiencies will be noted by staff and emailed or faxed to the applicant and authorized agent at the end of the meeting, or shortly after. Administrative deficiencies will cause the application to be deemed incomplete and returned.

   An appointment should be made to resubmit the application. The application is re-examined to ensure all deficiencies are resolved. The application will only be deemed administratively complete when all administrative deficiencies are addressed.

5. If an application is received by mail, courier service, or otherwise submitted without a review meeting, the administrative review will be conducted within 30 days. The applicant and agent will be contacted with the results of the administrative review. If the application is found to be administratively incomplete, it can be retrieved from the regional office or returned by regular mail. If returned by mail, the regional office may require arrangements for return shipping.

6. If the geologic assessment was completed before October 1, 2004 and the site contains "possibly sensitive" features, the assessment must be updated in accordance with the *Instructions to Geologists* (TCEQ-0585 Instructions).

Technical Review

1. When an application is deemed administratively complete, the technical review period begins. The regional office will distribute copies of the application to the identified affected city, county, and groundwater conservation district whose jurisdiction includes the subject site. These entities and the public have 30 days to provide comments on the application to the regional office. All comments received are reviewed by TCEQ.

2. A site assessment is usually conducted as part of the technical review, to evaluate the geologic assessment and observe existing site conditions. The site must be accessible to our staff. The site boundaries should be

clearly marked, features identified in the geologic assessment should be flagged, roadways marked and the alignment of the Sewage Collection System and manholes should be staked at the time the application is submitted. If the site is not marked the application may be returned.

3. We evaluate the application for technical completeness and contact the applicant and agent via Notice of Deficiency (NOD) to request additional information and identify technical deficiencies. There are two deficiency response periods available to the applicant. There are 14 days to resolve deficiencies noted in the first NOD. If a second NOD is issued, there is an additional 14 days to resolve deficiencies. If the response to the second notice is not received, is incomplete or inadequate, or provides new information that is incomplete or inadequate, the application must be withdrawn or will be denied. Please note that because the technical review is underway, whether the application is withdrawn or denied **the application fee will be forfeited**.

4. The program has 90 calendar days to complete the technical review of the application. If the application is technically adequate, such that it complies with the Edwards Aquifer rules, and is protective of the Edwards Aquifer during and after construction, an approval letter will be issued. Construction or other regulated activity may not begin until an approval is issued.

Mid-Review Modifications

It is important to have final site plans prior to beginning the permitting process with TCEQ to avoid delays.

Occasionally, circumstances arise where you may have significant design and/or site plan changes after your Edwards Aquifer application has been deemed administratively complete by TCEQ. This is considered a "Mid-Review Modification". Mid-Review Modifications may require redistribution of an application that includes the proposed modifications for public comment.

If you are proposing a Mid-Review Modification, two options are available:

- If the technical review has begun your application can be denied/withdrawn, your fees will be forfeited, and the plan will have to be resubmitted.
- TCEQ can continue the technical review of the application as it was submitted, and a modification application can be submitted at a later time.

If the application is denied/withdrawn, the resubmitted application will be subject to the administrative and technical review processes and will be treated as a new application. The application will be redistributed to the affected jurisdictions.

Please contact the regional office if you have questions. If your project is located in Williamson, Travis, or Hays County, contact TCEQ's Austin Regional Office at 512-339-2929. If your project is in Comal, Bexar, Medina, Uvalde, or Kinney County, contact TCEQ's San Antonio Regional Office at 210-490-3096

Please fill out all required fields below and submit with your application.

1. Regulated Entity Name: Camp Bullis Military Service Station					**2. Regulated Entity No.:**			
3. Customer Name: TRC Government Services LLC					**4. Customer No.:**			
5. Project Type: (Please circle/check one)	New X	Modification			Extension		Exception	
6. Plan Type: (Please circle/check one)	WPAP	CZP	SCS	UST	AST	EXP	EXT	Technical Clarification	Optional Enhanced Measures
7. Land Use: (Please circle/check one)	Residential	Non-residential			**8. Site (acres):**			3.02
9. Application Fee:	$1950	**10. Permanent BMP(s):**			Dbl Walled Tanks, Concrete Containment, Vaults, Veg filter strips.			
11. SCS (Linear Ft.):		**12. AST/UST (No. Tanks):**			3 ASTs			
13. County:	Bexar	**14. Watershed:**			Salado Creek			

Application Distribution

Instructions: Use the table below to determine the number of applications required. One original and one copy of the application, plus additional copies (as needed) for each affected incorporated city, county, and groundwater conservation district are required. Linear projects or large projects, which cross into multiple jurisdictions, can require additional copies. Refer to the "Texas Groundwater Conservation Districts within the EAPP Boundaries" map found at:

http://www.tceq.texas.gov/assets/public/compliance/field_ops/eapp/EAPP%20GWCD%20map.pdf

For more detailed boundaries, please contact the conservation district directly.

Austin Region			
County:	**Hays**	**Travis**	**Williamson**
Original (1 req.)	___	___	___
Region (1 req.)	___	___	___
County(ies)	___	___	___
Groundwater Conservation District(s)	___Edwards Aquifer Authority ___Barton Springs/ Edwards Aquifer ___Hays Trinity ___Plum Creek	___Barton Springs/ Edwards Aquifer	NA
City(ies) Jurisdiction	___Austin ___Buda ___Dripping Springs ___Kyle ___Mountain City ___San Marcos ___Wimberley ___Woodcreek	___Austin ___Bee Cave ___Pflugerville ___Rollingwood ___Round Rock ___Sunset Valley ___West Lake Hills	___Austin ___Cedar Park ___Florence ___Georgetown ___Jerrell ___Leander ___Liberty Hill ___Pflugerville ___Round Rock

* = Site is not in San Antonio City Limits, but is in San Antonio ETJ.

San Antonio Region					
County:	**Bexar**	**Comal**	**Kinney**	**Medina**	**Uvalde**
Original (1 req.)	___	___	___	___	___
Region (1 req.)	___	___	___	___	___
County(ies)	___	___	___	___	___
Groundwater Conservation District(s)	___ Edwards Aquifer Authority _X_Trinity-Glen Rose	___Edwards Aquifer Authority	___Kinney	___EAA ___Medina	___EAA ___Uvalde
City(ies) Jurisdiction	___Castle Hills ___Fair Oaks Ranch ___Helotes ___Hill Country Village ___Hollywood Park ETJ*San Antonio (SAWS) ___Shavano Park	___Bulverde ___Fair Oaks Ranch ___Garden Ridge ___New Braunfels ___Schertz	NA	___San Antonio ETJ (SAWS)	NA

I certify that to the best of my knowledge, that the application is complete and accurate. This application is hereby submitted to TCEQ for administrative review and technical review.
Richard Grossman Print Name of Customer/Authorized Agent
Signature of Customer/Authorized Agent — Date: 11/20/2023

FOR TCEQ INTERNAL USE ONLY				
Date(s)Reviewed:		Date Administratively Complete:		
Received From:		Correct Number of Copies:		
Received By:		Distribution Date:		
EAPP File Number:		Complex:		
Admin. Review(s) (No.):		No. AR Rounds:		
Delinquent Fees (Y/N):		Review Time Spent:		
Lat./Long. Verified:		SOS Customer Verification:		
Agent Authorization Complete/Notarized (Y/N):		Fee Check:	Payable to TCEQ (Y/N):	
Core Data Form Complete (Y/N):			Signed (Y/N):	
Core Data Form Incomplete Nos.:			Less than 90 days old (Y/N):	

505 East Huntland Dr.
Suite 250
Austin, TX 78752

T 512.329.6080
TRCcompanies.com

November 3, 2023

Edwards Aquifer Protection Program
Texas Commission on Environmental Quality
San Antonio Regional Office
14250 Judson Road
San Antonio, TX 78233

Sent via email – EAAdmin@tceq.texas.gov

Subject: **Contributing Zone Plan Application**
Camp Bullis Military Service Station
Bexar County, Texas
TRC Government Services

To Whom It May Concern:

This letter includes the Contributing Zone Plan Application for the 4.89-acre Camp Bullis Military Service Station in Bexar County, Texas (Latitude: 29.644430, Longitude: -98.575400). This plan was developed by TRC Government Services for the United States Government. Also enclosed is the Texas Commission on Environmental Quality (TCEQ) Core Data Form, an Owner Authorization Form, a Grant of Easement, a Legal Description of Easement Areas, and screenshots from the Bexar County Appraisal District's website with the Property Identification Number.

Please feel free to contact Richard Varnell at (512) 626-3990 / rvarnell@trccompanies.com or Christine Bunting at (737) 900-8971 / cbunting@trccompanies.com if you have any questions.

Sincerely,

TRC ENVIRONMENTAL CORPORATION

Richard Varnell, P.G., P.E.
Senior Project Manager

Christine Bunting
Staff Geologist

Enclosures
- Contributing Zone Plan Application
- TCEQ Core Data Form
- Owner Authorization Form
- Grant of Easement
- Legal Description of Easement Areas
- Screenshots from the Bexar County Appraisal District's Website

Application Fee Form

Texas Commission on Environmental Quality

Name of Proposed Regulated Entity: Camp Bullis Military Service Station

Regulated Entity Location: East side of Camp Bullis Rd. at its intersection with Lewis Valley Rd. (LAT 29.644430 / LONG -98.575400)

Name of Customer: TRC Government Services LLC

Contact Person: Rick Grossman Phone: 918-629-7700

Customer Reference Number (if issued):CN _____

Regulated Entity Reference Number (if issued):RN _____

Austin Regional Office (3373)

☐ Hays ☐ Travis ☐ Williamson

San Antonio Regional Office (3362)

☒ Bexar ☐ Medina ☐ Uvalde

☐ Comal ☐ Kinney

Application fees must be paid by check, certified check, or money order, payable to the **Texas Commission on Environmental Quality.** Your canceled check will serve as your receipt. **This form must be submitted with your fee payment.** This payment is being submitted to:

☐ Austin Regional Office

☐ Mailed to: TCEQ - Cashier
Revenues Section
Mail Code 214
P.O. Box 13088
Austin, TX 78711-3088

☐ San Antonio Regional Office

☒ Overnight Delivery to: TCEQ - Cashier
12100 Park 35 Circle
Building A, 3rd Floor
Austin, TX 78753
(512)239-0357

Site Location (Check All That Apply):

☐ Recharge Zone ☒ Contributing Zone ☐ Transition Zone

Type of Plan	*Size*	*Fee Due*
Water Pollution Abatement Plan, Contributing Zone Plan: One Single Family Residential Dwelling	Acres	$
Water Pollution Abatement Plan, Contributing Zone Plan: Multiple Single Family Residential and Parks	Acres	$
Water Pollution Abatement Plan, Contributing Zone Plan: Non-residential	Acres	$
Sewage Collection System	L.F.	$
Lift Stations without sewer lines	Acres	$
Underground or Aboveground Storage Tank Facility	3 Tanks	$ 1950
Piping System(s)(only)	Each	$
Exception	Each	$
Extension of Time	Each	$

Signature: _____ Date: 11/20/2023

Application Fee Schedule

Texas Commission on Environmental Quality

Edwards Aquifer Protection Program 30 TAC Chapter 213 (effective 05/01/2008)

Water Pollution Abatement Plans and Modifications

Contributing Zone Plans and Modifications

Project	*Project Area in Acres*	*Fee*
One Single Family Residential Dwelling	< 5	$650
Multiple Single Family Residential and Parks	< 5 5 < 10 10 < 40 40 < 100 100 < 500 ≥ 500	$1,500 $3,000 $4,000 $6,500 $8,000 $10,000
Non-residential (Commercial, industrial, institutional, multi-family residential, schools, and other sites where regulated activities will occur)	< 1 1 < 5 5 < 10 10 < 40 40 < 100 ≥ 100	$3,000 $4,000 $5,000 $6,500 $8,000 $10,000

Organized Sewage Collection Systems and Modifications

Project	*Cost per Linear Foot*	*Minimum Fee-Maximum Fee*
Sewage Collection Systems	$0.50	$650 - $6,500

Underground and Aboveground Storage Tank System Facility Plans and Modifications

Project	*Cost per Tank or Piping System*	*Minimum Fee-Maximum Fee*
Underground and Aboveground Storage Tank Facility	$650	$650 - $6,500

Exception Requests

Project	*Fee*
Exception Request	$500

Extension of Time Requests

Project	*Fee*
Extension of Time Request	$150

CONTRIBUTING ZONE PLAN APPLICATION

Contributing Zone Plan Application

Camp Bullis Military Service Station

TRC Environmental Corporation
505 East Huntland Drive, Suite 250
Austin, Texas 78752

July 2023

Contributing Zone Plan Application

Texas Commission on Environmental Quality

for Regulated Activities on the Contributing Zone to the Edwards Aquifer and Relating to 30 TAC §213.24(1), Effective June 1, 1999

To ensure that the application is administratively complete, confirm that all fields in the form are complete, verify that all requested information is provided, consistently reference the same site and contact person in all forms in the application, and ensure forms are signed by the appropriate party.

Note: Including all the information requested in the form and attachments contributes to more streamlined technical reviews.

Signature

To the best of my knowledge, the responses to this form accurately reflect all information requested concerning the proposed regulated activities and methods to protect the Edwards Aquifer. This **Contributing Zone Plan Application** is hereby submitted for TCEQ review and Executive Director approval. The application was prepared by:

Print Name of Customer/Agent: Richard D. Varnell

Date: 7/6/2023

Signature of Customer/Agent:

Richard Varnell

Regulated Entity Name: Camp Bullis Fuel Facility

Project Information

1. County: Bexar
2. Stream Basin: Salado Creek
3. Groundwater Conservation District (if applicable): Trinity Glen Rose
4. Customer (Applicant):

   Contact Person: Rick Grossman
   Entity: TRC Government Services LLC
   Mailing Address: 2087 East 71st Street
   City, State: Tulsa Zip: OK
   Telephone: (918) 629-7700 Fax: N/A
   Email Address: rgrossman@trccompanies.com

5. Agent/Representative (If any):

   Contact Person: Richard Varnell
   Entity: TRC Environmental Corporation
   Mailing Address: 505 East Huntland Drive, Suite 250
   City, State: Austin, Texas Zip: 78752
   Telephone: 512-626-3990 Fax: N/A
   Email Address: rvarnell@trccompanies.com

6. Project Location:

   ☐ The project site is located inside the city limits of _____.
   ☒ The project site is located outside the city limits but inside the ETJ (extra-territorial jurisdiction) of San Antonio.
   ☒ The project site is not located within any city's limits or ETJ.

7. ☒ The location of the project site is described below. Sufficient detail and clarity has been provided so that the TCEQ's Regional staff can easily locate the project and site boundaries for a field investigation.

   This is a Design-Build-Own-Operate services contract and TRC will lease the land needed for the facility. The site offered for lease by the Government, necessary for both construction and operation, is a parcel of undeveloped grassland located within U.S. Army Camp Bullis just east of the main cantonment area. It is on the southeast side of the intersection of Camp Bullis Road & Lewis Valley Road. The area released by Camp Bullis for facility construction will be approximately 4.89 acres. The final lease area will be approximately 3.02 acres. The coordinates are: 29.644430, -98.575400

8. ☒ **Attachment A - Road Map**. A road map showing directions to and the location of the project site is attached. The map clearly shows the boundary of the project site.

9. ☒ **Attachment B - USGS Quadrangle Map**. A copy of the official 7 ½ minute USGS Quadrangle Map (Scale: 1" = 2000') is attached. The map(s) clearly show:

   ☒ Project site boundaries.
   ☒ USGS Quadrangle Name(s).

10. ☒ **Attachment C - Project Narrative**. A detailed narrative description of the proposed project is attached. The project description is consistent throughout the application and contains, at a minimum, the following details:

    ☒ Area of the site
    ☒ Offsite areas
    ☒ Impervious cover
    ☒ Permanent BMP(s)
    ☒ Proposed site use
    ☒ Site history
    ☒ Previous development

☒ Area(s) to be demolished

11. Existing project site conditions are noted below:

☐ Existing commercial site
☐ Existing industrial site
☐ Existing residential site
☒ Existing paved and/or unpaved roads
☐ Undeveloped (Cleared)
☒ Undeveloped (Undisturbed/Not cleared)
☒ Other: Undeveloped pasture with preexisting grass

12. The type of project is:

☐ Residential: # of Lots: _____
☐ Residential: # of Living Unit Equivalents: _____
☐ Commercial
☐ Industrial
☒ Other: U.S. Government 24/7 Fleet Fuel Facility

13. Total project area (size of site): 4.89 acres for construction, 3.02 acres for operation Acres

Total disturbed area: 4.89 Acres

14. Estimated projected population: N/A

15. The amount and type of impervious cover expected after construction is complete is shown below:

Table 1 - Impervious Cover

Impervious Cover of Proposed Project	***Sq. Ft.***	***Sq. Ft./Acre***	***Acres***
Structures/Rooftops	3291	÷ 43,560 =	0.08
Parking	780	÷ 43,560 =	0.02
Other paved surfaces	27911	÷ 43,560 =	0.64
Total Impervious Cover	31982	÷ 43,560 =	0.73

Total Impervious Cover 0.73 **÷ Total Acreage** 3.02 **X 100 =** 24.3**% Impervious Cover**

16. ☒ **Attachment D - Factors Affecting Surface Water Quality**. A detailed description of all factors that could affect surface water quality is attached. If applicable, this includes the location and description of any discharge associated with industrial activity other than construction.

17. ☒ Only inert materials as defined by 30 TAC 330.2 will be used as fill material.

For Road Projects Only

Complete questions 18 - 23 if this application is exclusively for a road project.

☐ N/A

18. Type of project:

☐ TXDOT road project.
☐ County road or roads built to county specifications.
☐ City thoroughfare or roads to be dedicated to a municipality.
☐ Street or road providing access to private driveways.

19. Type of pavement or road surface to be used:

☐ Concrete
☐ Asphaltic concrete pavement
☐ Other: _____

20. Right of Way (R.O.W.):

Length of R.O.W.: _____ feet.
Width of R.O.W.: _____ feet.
L x W = _____Ft^2 ÷ 43,560 Ft^2/Acre = _____ acres.

21. Pavement Area:

Length of pavement area: _____ feet.
Width of pavement area: _____ feet.
L x W = _____Ft^2 ÷ 43,560 Ft^2/Acre = _____ acres.
Pavement area _____ acres ÷ R.O.W. area _____ acres x 100 = _____% impervious cover.

22. ☐ A rest stop will be included in this project.

☐ A rest stop will not be included in this project.

23. ☐ Maintenance and repair of existing roadways that do not require approval from the TCEQ Executive Director. Modifications to existing roadways such as widening roads/adding shoulders totaling more than one-half (1/2) the width of one (1) existing lane require prior approval from the TCEQ.

Stormwater to be generated by the Proposed Project

24. ☒ **Attachment E - Volume and Character of Stormwater**. A detailed description of the volume (quantity) and character (quality) of the stormwater runoff which is expected to occur from the proposed project is attached. The estimates of stormwater runoff quality and quantity are based on area and type of impervious cover. Include the runoff coefficient of the site for both pre-construction and post-construction conditions.

Wastewater to be generated by the Proposed Project

25. ☐ Wastewater is to be discharged in the contributing zone. Requirements under 30 TAC §213.6(c) relating to Wastewater Treatment and Disposal Systems have been satisfied.

☐ N/A

26. Wastewater will be disposed of by:

☐ On-Site Sewage Facility (OSSF/Septic Tank):

☐ **Attachment F - Suitability Letter from Authorized Agent**. An on-site sewage facility will be used to treat and dispose of the wastewater from this site. The appropriate licensing authority's (authorized agent) written approval is attached. It states that the land is suitable for the use of private sewage facilities and will meet or exceed the requirements for on-site sewage facilities as specified under 30 TAC Chapter 285 relating to On-site Sewage Facilities.

☐ Each lot in this project/development is at least one (1) acre (43,560 square feet) in size. The system will be designed by a licensed professional engineer or registered sanitarian and installed by a licensed installer in compliance with 30 TAC Chapter 285.

☒ Sewage Collection System (Sewer Lines):

The sewage collection system will convey the wastewater to the Camp Bullis (name) Treatment Plant. The treatment facility is:

☒ Existing.
☐ Proposed.

☐ N/A

Permanent Aboveground Storage Tanks(ASTs) ≥ 500 Gallons

Complete questions 27 - 33 if this project includes the installation of AST(s) with volume(s) greater than or equal to 500 gallons.

☐ N/A

27. Tanks and substance stored:

Table 2 - Tanks and Substance Storage

AST Number	*Size (Gallons)*	*Substance to be Stored*	*Tank Material*
1	12,000	Gasoline	Double-Wall Steel
2	12,000	Diesel	Double-Wall Steel
3	12,000	Diesel	Double-Wall Steel

AST Number	*Size (Gallons)*	*Substance to be Stored*	*Tank Material*
4			
5			

Total x 1.5 = 54,000 **Gallons**

28. ☒ The AST will be placed within a containment structure that is sized to capture one and one-half (1 1/2) times the storage capacity of the system. For facilities with more than one tank system, the containment structure is sized to capture one and one-half (1 1/2) times the cumulative storage capacity of all systems.

    ☐ **Attachment G - Alternative Secondary Containment Methods**. Alternative methods for providing secondary containment are proposed. Specifications showing equivalent protection for the Edwards Aquifer are attached.

29. Inside dimensions and capacity of containment structure(s):

Table 3 - Secondary Containment

Length (L)(Ft.)	*Width(W)(Ft.)*	*Height (H)(Ft.)*	*L x W x H = (Ft3)*	*Gallons*
54	74	2	7992	59784

Total: 59784 **Gallons**

30. Piping:

    ☐ All piping, hoses, and dispensers will be located inside the containment structure.
    ☒ Some of the piping to dispensers or equipment will extend outside the containment structure.
    ☒ The piping will be aboveground
    ☒ The piping will be underground

31. ☒ The containment area must be constructed of and in a material impervious to the substance(s) being stored. The proposed containment structure will be constructed of: Concrete with waterstops between horizontal-to-vertical transitions.

32. ☒ **Attachment H - AST Containment Structure Drawings**. A scaled drawing of the containment structure is attached that shows the following:

    ☒ Interior dimensions (length, width, depth and wall and floor thickness).
    ☒ Internal drainage to a point convenient for the collection of any spillage.
    ☒ Tanks clearly labeled
    ☒ Piping clearly labeled

☒ Dispenser clearly labeled

33. ☒ Any spills must be directed to a point convenient for collection and recovery. Spills from storage tank facilities must be removed from the controlled drainage area for disposal within 24 hours of the spill.

    ☒ In the event of a spill, any spillage will be removed from the containment structure within 24 hours of the spill and disposed of properly.

    ☐ In the event of a spill, any spillage will be drained from the containment structure through a drain and valve within 24 hours of the spill and disposed of properly. The drain and valve system are shown in detail on the scaled drawing.

Site Plan Requirements

Items 34 - 46 must be included on the Site Plan.

34. ☒ The Site Plan must have a minimum scale of 1" = 400'.

    Site Plan Scale: 1" = 20'.

35. 100-year floodplain boundaries:

    ☐ Some part(s) of the project site is located within the 100-year floodplain. The floodplain is shown and labeled.

    ☒ No part of the project site is located within the 100-year floodplain.

    The 100-year floodplain boundaries are based on the following specific (including date of material) sources(s): FEMA Map dated 29-September-2010.

36. ☒ The layout of the development is shown with existing and finished contours at appropriate, but not greater than ten-foot contour intervals. Lots, recreation centers, buildings, roads, etc. are shown on the site plan.

    ☐ The layout of the development is shown with existing contours at appropriate, but not greater than ten-foot contour intervals. Finished topographic contours will not differ from the existing topographic configuration and are not shown. Lots, recreation centers, buildings, roads, etc. are shown on the site plan.

37. ☒ A drainage plan showing all paths of drainage from the site to surface streams.

38. ☒ The drainage patterns and approximate slopes anticipated after major grading activities.

39. ☒ Areas of soil disturbance and areas which will not be disturbed.

40. ☒ Locations of major structural and nonstructural controls. These are the temporary and permanent best management practices.

41. ☒ Locations where soil stabilization practices are expected to occur.

42. ☐ Surface waters (including wetlands).

    ☒ N/A

43. ☐ Locations where stormwater discharges to surface water.

    ☒ There will be no discharges to surface water.

44. ☒ Temporary aboveground storage tank facilities.

    ☐ Temporary aboveground storage tank facilities will not be located on this site.

45. ☒ Permanent aboveground storage tank facilities.

    ☐ Permanent aboveground storage tank facilities will not be located on this site.

46. ☒ Legal boundaries of the site are shown.

Permanent Best Management Practices (BMPs)

Practices and measures that will be used during and after construction is completed.

47. ☒ Permanent BMPs and measures must be implemented to control the discharge of pollution from regulated activities after the completion of construction.

    ☐ N/A

48. ☒ These practices and measures have been designed, and will be constructed, operated, and maintained to insure that 80% of the incremental increase in the annual mass loading of total suspended solids (TSS) from the site caused by the regulated activity is removed. These quantities have been calculated in accordance with technical guidance prepared or accepted by the executive director.

    ☒ The TCEQ Technical Guidance Manual (TGM) was used to design permanent BMPs and measures for this site.

    ☐ A technical guidance other than the TCEQ TGM was used to design permanent BMPs and measures for this site. The complete citation for the technical guidance that was used is: _____.

    ☐ N/A

49. ☒ Owners must insure that permanent BMPs and measures are constructed and function as designed. A Texas Licensed Professional Engineer must certify in writing that the permanent BMPs or measures were constructed as designed. The certification letter must be submitted to the appropriate regional office within 30 days of site completion.

    ☐ N/A

50. Where a site is used for low density single-family residential development and has 20 % or less impervious cover, other permanent BMPs are not required. This exemption from permanent BMPs must be recorded in the county deed records, with a notice that if the percent impervious cover increases above 20% or land use changes, the exemption for the whole site as described in the property boundaries required by 30 TAC §213.4(g) (relating to Application Processing and Approval), may no longer apply and the property owner must notify the appropriate regional office of these changes.

☐ The site will be used for low density single-family residential development and has 20% or less impervious cover.
☐ The site will be used for low density single-family residential development but has more than 20% impervious cover.
☒ The site will not be used for low density single-family residential development.

51. The executive director may waive the requirement for other permanent BMPs for multi-family residential developments, schools, or small business sites where 20% or less impervious cover is used at the site. This exemption from permanent BMPs must be recorded in the county deed records, with a notice that if the percent impervious cover increases above 20% or land use changes, the exemption for the whole site as described in the property boundaries required by 30 TAC §213.4(g) (relating to Application Processing and Approval), may no longer apply and the property owner must notify the appropriate regional office of these changes.

☐ **Attachment I - 20% or Less Impervious Cover Waiver**. The site will be used for multi-family residential developments, schools, or small business sites and has 20% or less impervious cover. A request to waive the requirements for other permanent BMPs and measures is attached.
☐ The site will be used for multi-family residential developments, schools, or small business sites but has more than 20% impervious cover.
☒ The site will not be used for multi-family residential developments, schools, or small business sites.

52. ☒ **Attachment J - BMPs for Upgradient Stormwater**.

☒ A description of the BMPs and measures that will be used to prevent pollution of surface water, groundwater, or stormwater that originates upgradient from the site and flows across the site is attached.
☐ No surface water, groundwater or stormwater originates upgradient from the site and flows across the site, and an explanation is attached.
☐ Permanent BMPs or measures are not required to prevent pollution of surface water, groundwater, or stormwater that originates upgradient from the site and flows across the site, and an explanation is attached.

53. ☒ **Attachment K - BMPs for On-site Stormwater**.

☒ A description of the BMPs and measures that will be used to prevent pollution of surface water or groundwater that originates on-site or flows off the site, including pollution caused by contaminated stormwater runoff from the site is attached.
☐ Permanent BMPs or measures are not required to prevent pollution of surface water or groundwater that originates on-site or flows off the site, including pollution caused by contaminated stormwater runoff, and an explanation is attached.

54. ☐ **Attachment L - BMPs for Surface Streams**. A description of the BMPs and measures that prevent pollutants from entering surface streams is attached.

☒ N/A

55. ☒ **Attachment M - Construction Plans**. Construction plans and design calculations for the proposed permanent BMPs and measures have been prepared by or under the direct supervision of a Texas Licensed Professional Engineer, and are signed, sealed, and dated. Construction plans for the proposed permanent BMPs and measures are attached and include: Design calculations, TCEQ Construction Notes, all proposed structural plans and specifications, and appropriate details.

☐ N/A

56. ☒ **Attachment N - Inspection, Maintenance, Repair and Retrofit Plan**. A site and BMP specific plan for the inspection, maintenance, repair, and, if necessary, retrofit of the permanent BMPs and measures is attached. The plan fulfills all of the following:

☒ Prepared and certified by the engineer designing the permanent BMPs and measures
☒ Signed by the owner or responsible party
☒ Outlines specific procedures for documenting inspections, maintenance, repairs, and, if necessary, retrofit.
☒ Contains a discussion of record keeping procedures

☐ N/A

57. ☐ **Attachment O - Pilot-Scale Field Testing Plan**. Pilot studies for BMPs that are not recognized by the Executive Director require prior approval from the TCEQ. A plan for pilot-scale field testing is attached.

☒ N/A

58. ☐ **Attachment P - Measures for Minimizing Surface Stream Contamination**. A description of the measures that will be used to avoid or minimize surface stream contamination and changes in the way in which water enters a stream as a result of the construction and development is attached. The measures address increased stream flashing, the creation of stronger flows and in-stream velocities, and other in-stream effects caused by the regulated activity, which increase erosion that result in water quality degradation.

☒ N/A

Responsibility for Maintenance of Permanent BMPs and Measures after Construction is Complete.

59. ☒ The applicant is responsible for maintaining the permanent BMPs after construction until such time as the maintenance obligation is either assumed in writing by another entity having ownership or control of the property (such as without limitation, an owner's association, a new property owner or lessee, a district, or municipality) or the ownership of the property is transferred to the entity. Such entity shall then be

responsible for maintenance until another entity assumes such obligations in writing or ownership is transferred.

60. ☒ A copy of the transfer of responsibility must be filed with the executive director at the appropriate regional office within 30 days of the transfer if the site is for use as a multiple single-family residential development, a multi-family residential development, or a non-residential development such as commercial, industrial, institutional, schools, and other sites where regulated activities occur.

Administrative Information

61. ☒ Submit one (1) original and one (1) copy of the application, plus additional copies as needed for each affected incorporated city, groundwater conservation district, and county in which the project will be located. The TCEQ will distribute the additional copies to these jurisdictions.

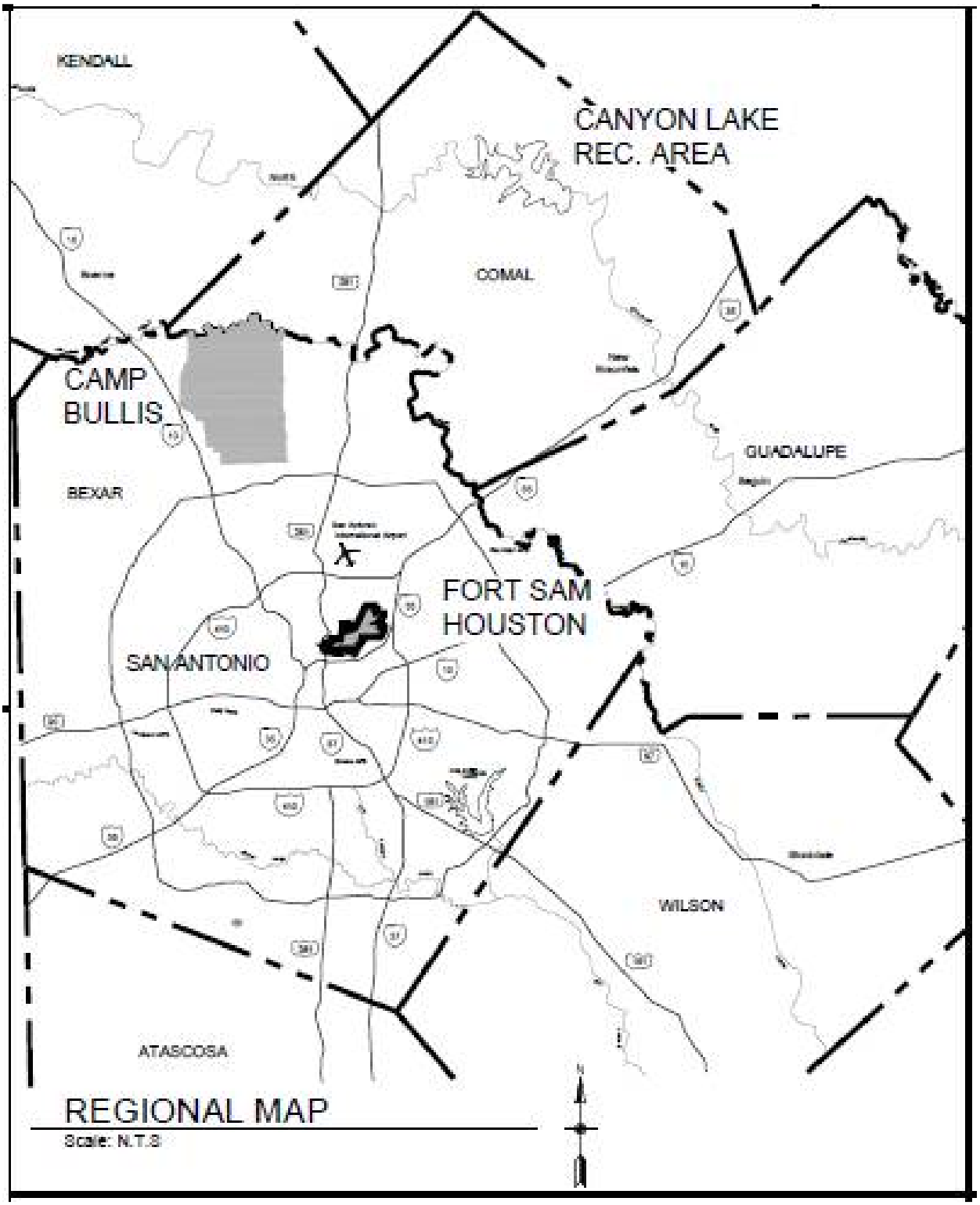
62. ☒ Any modification of this Contributing Zone Plan may require TCEQ review and Executive Director approval prior to construction, and may require submission of a revised application, with appropriate fees.

63. ☒ The site description, controls, maintenance, and inspection requirements for the storm water pollution prevention plan (SWPPP) developed under the EPA NPDES general permits for stormwater discharges have been submitted to fulfill paragraphs 30 TAC §213.24(1-5) of the technical report. All requirements of 30 TAC §213.24(1-5) have been met by the SWPPP document.

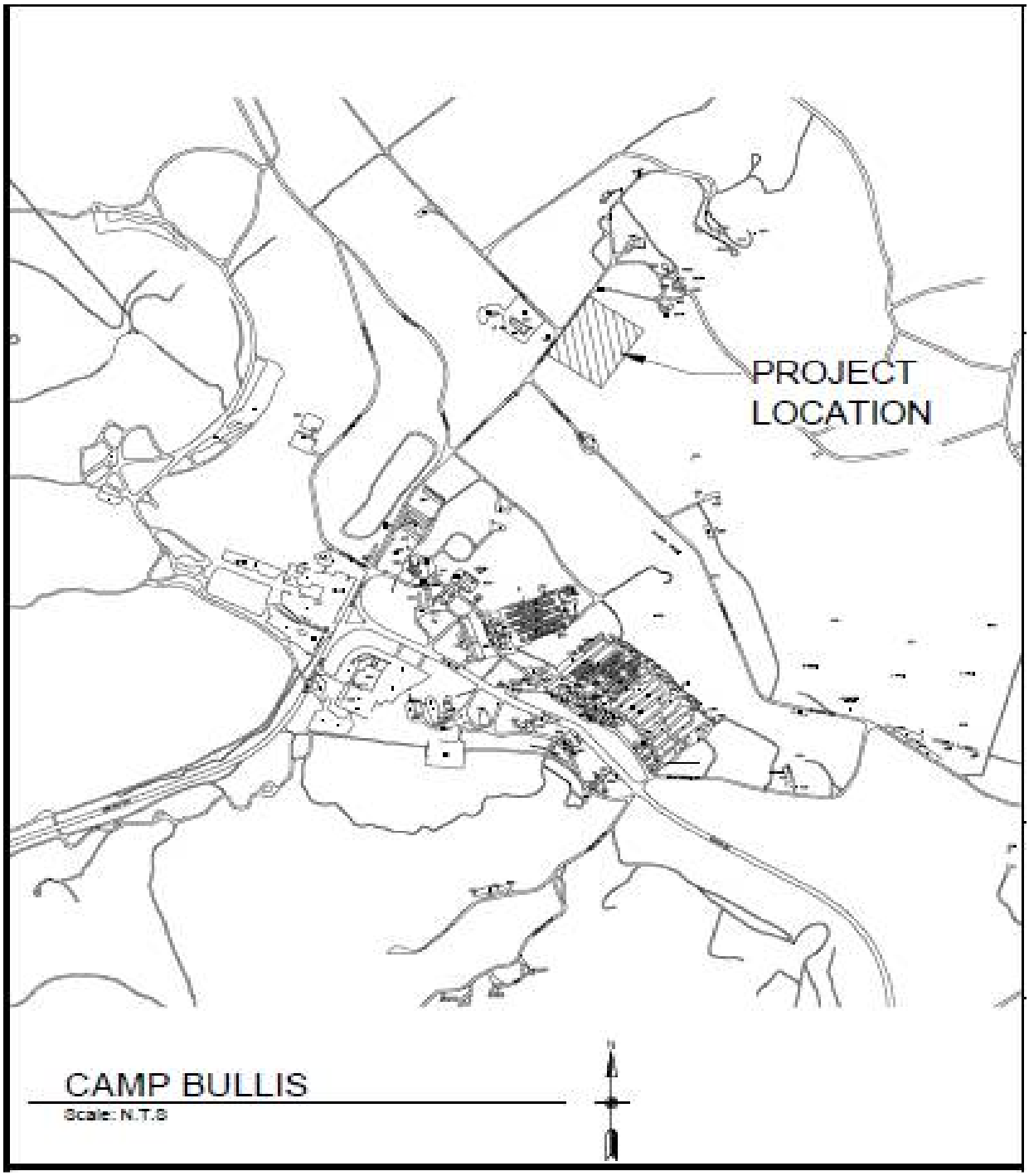
☐ The Temporary Stormwater Section (TCEQ-0602) is included with the application.

ATTACHMENT A
ROAD MAP

RELATIVE LOCATION OF CAMP BULLIS TO SAN ANTONIO



Location of Fuel Facility Construction Site on Camp Bullis



Southeast side of the Intersection of Camp Bullis Road & Lewis Valley Road.
Coordinates: LAT 29.644430 LONG -98.575400

ATTACHMENT B
USGS QUADRANGLE MAP

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

CAMP BULLIS QUADRANGLE
TEXAS
7.5 MINUTE SERIES (TOPOGRAPHIC)

Edwards Aquifer Recharge Zone

Edwards Aquifer Recharge Zone

Edwards Aquifer Contributing Zone

Edwards Aquifer Contributing Zone

Edwards Aquifer Recharge Zone

CAMP STANLEY MILTIARY RESERVATION

CAMP BULLIS MILITARY RESERVATION

Produced by the United States Geological Survey

Control by USGS, NOS/NOAA and USCE

Compiled by Defense Mapping Agency from aerial photographs taken 1952. Revised from aerial photographs taken 1986
Field checked 1986. Map edited 1992

North American Datum of 1927 (NAD 27). Projection and 10 000-foot grid ticks: Texas Coordinate System, south central zone (Lambert Conformal Conic). 1000-meter Universal Transverse Mercator grid, zone 14
The difference between NAD 27 and North American Datum of 1983 (NAD 83) for 7.5 minute intersections is given in USGS Bulletin 1875. The NAD 83 is shown by dashed corner ticks

There may be private inholdings within the boundaries of the National or State reservations shown on this map

Areas covered by dashed light-blue pattern are subject to controlled inundation

Fine red dashed lines indicate selected fence and field lines where generally visible on aerial photographs. This information is unchecked

UTM GRID AND 1992 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET

SCALE 1:24 000

CONTOUR INTERVAL 10 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

TEXAS
QUADRANGLE LOCATION

2998-314

ROAD CLASSIFICATION

Primary highway, hard surface
Secondary highway, hard surface
Light-duty road, hard or improved surface
Unimproved road
Interstate Route
U. S. Route
State Route

CAMP BULLIS, TEXAS
29098-F5-TF-024

1992

DMA 6243 II NE-SERIES V882

Texas Commission on Environmental Quality
Edwards Aquifer Protection Program

Regulatory Zones

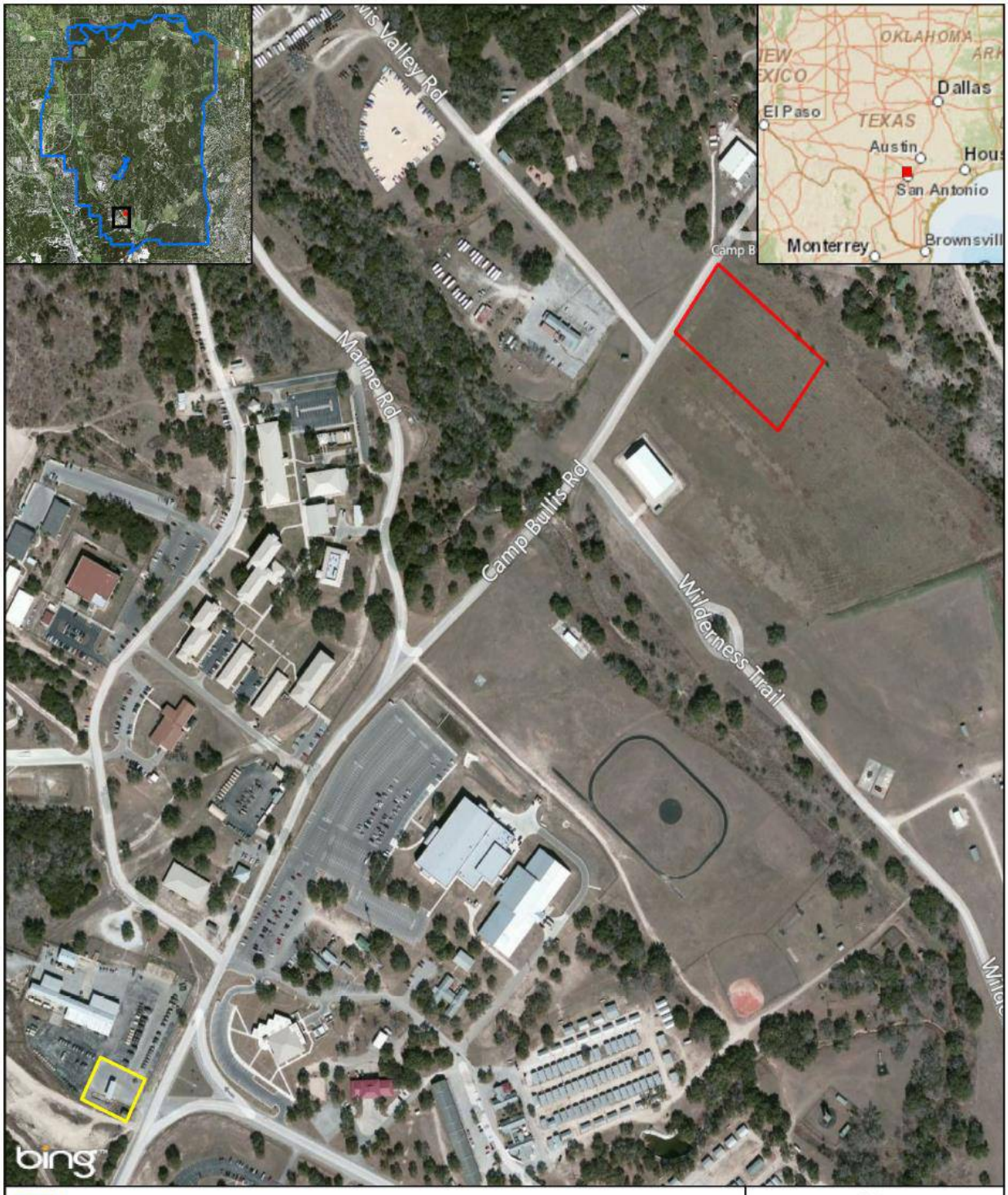
30 TAC Chapter 213- Edwards Aquifer
Effective September 2005

This map was produced by the Groundwater Planning and Assessment Team of the Texas Commission on Environmental Quality to detail the boundaries of the regulatory zones of the Edwards Aquifer Protection Program, as described in Texas Administrative Code Title 30, Part 1, §213.3. No other claims are made to the accuracy or completeness of the data or to its suitability for a particular use. For more information about the Edwards Aquifer Protection Program, please contact the TCEQ Regional Offices in San Antonio or Austin. Printed June 2006.

LOCATION OF TRC FUEL FACILITY PROJECT AT CAMP BULLIS

LAT 29.644430 LONG -98.575400

REFERENCE 7.5-MINUTE USGS CAMP BULLIS QUADRANGLE MAP #29098-F5-TF-024


Marine Rd
Camp Bullis Rd
Wilderness Trail
OKLAHOMA
Dallas
El Paso
TEXAS
Austin
San Antonio
Monterrey
bing
Existing MSS
Proposed MSS
0 150 300
Feet
0 75 150
Meters

ATTACHMENT C
PROJECT NARRATIVE

ATTACHMENT-C to TRC Government Services Contributing Zone Plan Application for Camp Bullis (CB) Military Service Station (MSS)

NOTE: The Air Force Civil Engineer Center, in October 2013, completed and published an Environmental Assessment (EA) of the Camp Bullis selected location, among others. A copy of the EA is available and can be provided as a supplement to this Contributing Zone Plan Application, although it covers five total locations and so it is nearly 145 pages in length. Edited excerpts from that EA are included in portions of the below responses. The EA included a Finding Of No Significant Impact (FONSI) relating to the selected property. TRC Government Services had no input to the property selection; this was made by the U.S. Government several years before the Solicitation To Bid was published, utilities were brought to the property boundaries, and the raw land is then offered with a no-cost license or lease that runs with the services contract. When used in this Attachment, those edited portions are identified with the letter EA and placed in italics.

1. Area of the Site: The site designated is three (3.02) acres in size. The following is excerpted from the EA - *The MSS site at Camp Bullis is located near the base of a narrow valley in the vicinity of an old gravel pit approximately 0.37 miles east-northeast at the intersection of Vera Cruz Road and Camp Bullis Road. It has been previously leveled and graded; hence, no prominent topographic features are found. Soils onsite include Eckrant cobbly clay and Tinn clay extending only up to 40 inches in depth (NRCS 2012a). No surface water or wetlands are present, and it is not located in a FEMA flood hazard zone (FEMA 2012); therefore, no FONPA is needed.*

   Construction of the new MSS at this installation include road improvements, a low-water bridge crossing, storm drainage construction, water lines, a lift station, and extension of electrical and communication lines. All of these activities would have minor and temporary effects to soil that would be diminished by implementing soil conserving BMPs.

   The improvements mentioned above from the EA were completed by CB prior to offering the property for construction. As the winning Contractor, TRC is prohibited from working outside the boundaries of the property and these elements are already in place. We simply run our infrastructure to the boundary and make the necessary connections to the now-existing utilities.

2. Offsite Areas: EA - *The new proposed MSS site has been previously disturbed and does not contain any wetlands. Salado Creek is located approximately 600 feet to the southwest of the proposed MSS site; Lewis Pond is at the confluence of Salado and Lewis Creeks approximately one (1) mile upstream of the proposed site, and sewage ponds along Salado Creek are located about one (1) mile downstream of the proposed site (USGS 1992). Depth to groundwater is highly variable at this installation due to solubility characteristics of limestone, shale, and marl. Many springs are found in the karst topography; however, none are at or adjacent to the existing or proposed MSS site (US Army 2010).*

3. Impervious Cover: As discussed in Item #1 (above), the final lease area will be 3.02 acres in size. However, the area released for facility construction will be 4.89 acres. The site is currently undeveloped (minus the paved driveway entrances that have already been constructed by CB). Once construction is complete, approximately 0.73 acres of the site (24.3% of the overall property) will have impervious cover (pavement, roofs, etc.).

4. Permanent BMP(s): EA - *Implementation of BMPs to conserve topsoil and prevent compaction and erosion will minimize disturbance and protect soils during construction. Additional BMPs such as check dams and erosion control barriers will slow surface runoff and provide impediments for loaded runoff to enter surface waters. All construction would be in accordance with SWPPPs and local Hazardous Materials Management Plans that minimize the potential to affect water resources. Operations at the MSS will be in conformance with SPCC Plans. Section 438 of the EISA requires preservation or restoration of predevelopment hydrology at the* site.

   Permanent BMPs that will be installed at the MSS include:

- A concrete catch basin capable of impounding 150% of the total possible stored fuels will be implemented. An aggregate total of 36,000 gallons of gasoline and diesel will be stored in three aboveground storage tanks (ASTs) - 150% of this total is 54,000 gallons. The containment will be a nominal 54-feet wide x 74-feet long x 2-feet high. The containment will hold approximately 59,784 gallons, or (after adjusting for displacement by the ASTs, AST supports, and other equipment in the containment) approximately 54,948 gallons. The containment will drain to a sump, the sump will drain through a valve (normally locked in the closed position) to a wet vault, and from the wet vault to a stone diffuser and from there through an engineered vegetative filter strip and off of the site to the southeast via overland flow.
- The AST system will be constructed of double walled steel and will be fully compatible with its contents. It will be operated only at ambient temperature and pressure conditions. Overfill protection will be provided by direct reading sight gauges, the physical presence of facility personnel, and local overfill/high level alarms.
- Stormwater on facility pavement (including the canopied dispenser islands) will be directed to a second wet vault via a curb drain. From the wet vault stormwater will drain to a stone diffuser and from there through an engineered vegetative filter strip and off of the site to the south via overland flow.
- Both wet vaults will be constructed with an oil stop valve to prevent small releases from leaving the wet vault and discharging off-site.
- In the event of any spill, vacuum trucks will be called in to remove the fuel and dispose of it properly.
- During AST refueling operations active measures, including an on-site attendant, spill control equipment, and fuel delivery procedures.

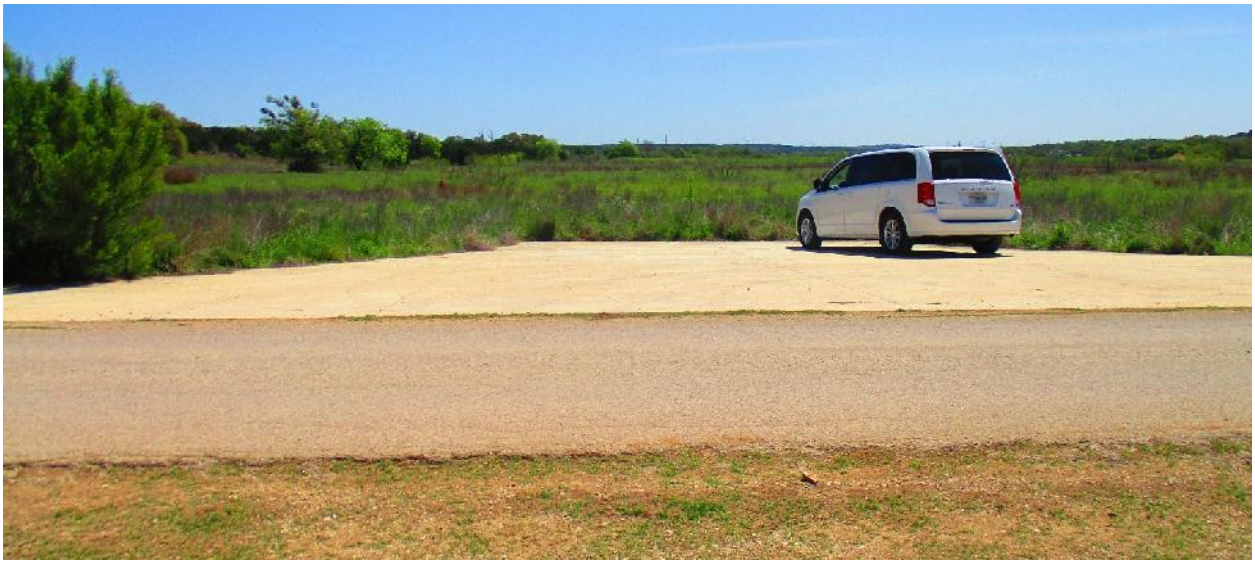
5. Proposed Site Use: The MSS mission is two-fold – (a) provide 24/7 gasoline (GUR) and Ultra-Low Sulfur Diesel (ULSD) to government-only customers through a unique QR-code authorization system and (b) issue bulk ULSD to field-bound tanker trucks, typically 2,500-gallon capacity. TRC provides two Operators during weekdays who must be present and supervise the bulk loading operations since this also involves closing of containment area valves to capture and retain any spill on-site for clean-up.

6. Site History: The EA did not provide, or find, any previous use for this small property.

7. Previous Development: See #6.

8. Area(s) to be Demolished: Not applicable. Camp Bullis has already completed the surrounding infrastructure, primarily utilities, before offering the property for contracting. This included blading the property level and installing two concrete entrance/exits as well as fire hydrants. There is an existing MSS originally build in 1945 and updated some years later which is approximately one (1) mile from the new MSS location. Once the new facility is operational, the old one will be contracted for demolition and remediation; none of this is included in the current TRC contract for a new MSS.

Below is a photograph of the site taken during the Job Walk showing one of the CB-provided entrance/exits, the general-duty asphalt road in front of the property, and the cleared site.



ATTACHMENT D
FACTORS AFFECTING SURFACE WATER QUALITY

ATTACHMENT-D to TRC Government Services Contributing Zone Plan Application for Camp Bullis (CB) Military Service Station (MSS)

NOTE: As in Attachment C, portions of an edited document by the Air Force Civil Engineer Center's Environmental Assessment (EA) of the Camp Bullis selected location may be used in this narrative. When used in this Attachment, those edited portions are identified with the letter EA and placed in italics.

The initial factor affecting surface water quality will be the topsoiling and follow-on construction of the facility. A SWPPP will be prepared with Erosion Control Plan and Details for Construction BMPs. These will be maintained during construction in accordance with the SWPPP. The new facility is only for fueling of vehicles with government-owned fuel and does not take cash and is not open to the Public; thus it is a Fleet Fueling Facility. There are no repairs made at the facility to vehicles, no vehicle washing accommodations, or other typical "Motor Pool" operations. It is simply for receiving fuel into the government vehicle.

Once the facility is complete there will be several Permanent BMP(s) including the following:

1) All three of the 12,000-gallon aboveground storage tanks (ASTs) will be double-walled tanks with interstitial fluid alarms which will alert the facility operators in the event that there has been a fuel release from the inner tank. The double wall will serve as primary secondary containment for the fuel stored inside.

2) All three ASTs will be located inside a concrete basin capable of impounding 150% of the total possible stored fuels. An aggregate total of 36,000 gallons of gasoline and diesel will be stored in the ASTs, so 150% of the total possible stored fuels equals 54,000 gallons. The basin will be a nominal 54-feet wide x 74-feet long x 2-feet high with an overall containment capacity of 59,784 gallons and an actual containment capacity (total containment minus displacement by AST supports and other equipment) of 54,948 gallons. The concrete containment structure will serve as an ancillary form of secondary containment for the fuel in the ASTs. In the event of a tank release, vacuum trucks will be called in to remove and dispose of the fuel from the containment.

3) The basin will drain to a concrete sump equipped with a valve that will remain locked and closed during normal business operations. In the event that stormwater with no sheen is observed in the containment by an operator, the valve will be unlocked and opened and the stormwater drained via gravity flow to a wet vault constructed of concrete.

    a. The wet vault is equipped with an oil-stop valve (see attached product literature). The oil stop valve will contain any minor fuel releases in the basin wet vault. In the event that fuel is observed in the wet vault, a vacuum truck will be called in to remove and dispose of the fuel.

    b. The wet vault will serve as a settling basin and will retain grit and solids that drop out of solution, thus reducing the total suspended solids (TSS) content of the water. Grit and other solids will be removed from the wet vault on an as needed basis.

    c. As shown on the plans provided with this application, the basin wet vault will drain to a riprap-improved outfall and, from there, will drain as sheet flow across a vegetative filter strip located in the grassed and undeveloped portion of the property.

    d. As documented in Regulatory Guidance RG-348, *Complying with the Edwards aquifer Rules, Technical Guidance on Best Management Practices*, a wet vault and the vegetative filter strip are capable of reducing the TSS load of stormwater runoff by a value greater than 80%.

4) The fuel dispensers will be covered with a canopy to protect them from direct contact with stormwater. The fuel dispensers are equipped with automatic shutoff valves in the event of a fuel release from a dispenser. In

addition, fuel released in the dispenser area will be directed via graded pavement to a curb drain that empties to a second wet vault. This wet vault will receive drainage from the entire paved portion of the facility (outside of the concrete AST containment basin described above). This wet vault will be identical to the wet vault described above. It will function as a settling basin, as a secondary containment structure for minor fuel releases, and will drain to a riprap-improved outfall and, from there, to a vegetative filter strip.

5) An emergency generator (with an integrated, double walled 50-gallon diesel tank) and a pad-mounted power transformer will be located on-site. As neither of these units contains greater than 500 gallons of oil, additional secondary containment is not planned for either unit. However, both will be inspected in accordance with the Spill Prevention, Control, and Countermeasures (SPCC) Plan that will be created for the site. Active measures will be utilized to contain any release from either unit.

On the uphill side of the facility, we plan to install a short berm that runs the length of the facility and directs potential run-on water from coming into the facility and across the impervious concrete.

We do not see any direct problem stemming from the facility operation as it pertains to sedimentation or excessive runoff. The primary factor that could affect water quality would be if enough fuel spilled to reach Salado Creek some 600-feet away. The above measures are taken to mitigate that possibility.

Excerpts from the EA - *Camp Bullis currently does not have a stormwater system and is generally drained through natural settings such as creeks and valleys (MACTEC 2007).*

Replacement of the existing facilities with the proposed MSS would not impact groundwater withdrawals at installations that utilize these waters. Based on implementation of erosion, stormwater and spill control BMPs, any adverse impacts of the proposed action to water resources would be minor and temporary.

The proposed construction activities would have minor and temporary effects to soil that would be diminished by implementing soil conserving BMPs that also protect water resources from sedimentation. Replacement of the old facility with the new MSS would not impact water withdrawals from protected aquifers on Camp Bullis. Impacts of the proposed action to water resources would, therefore, be minor and temporary.

END

ATTACHMENT E
VOLUME AND CHARACTER OF STORMWATER

Attachment E – Volume and Character of Stormwater

Stormwater runoff generated from the proposed site will come from the facility structures, rooftop, parking lot, and other paved surface areas. A short berm is planned to be installed on the uphill side of the facility that runs the length of the facility and directs potential run-on water from coming into the facility across the impervious concrete.

The characteristic of the storm water generated on-site will be influenced by site features that generate non-point sources of pollution. Non-point sources will include oil and grease from the road pavement surfaces, suspended solids, sedimentation, any other contaminant that ends up on the ground naturally, and possible use of fertilizers, pesticides and herbicides. However, fuel and oil releases will be controlled through the combination of wet vaults equipped with oil- stop valves, a concrete containment structure, active measures in use at the facility, and procedures which would prohibit the use of fertilizers, pesticides and herbicides prior to imminent rain or inclement weather.

The rational Method was used to compute the flow volumes generated by drainage area:

$$Q = C\ i\ A$$

Q = Peak Discharge (in cubic feet per second [cfs])

C = Runoff Coefficient

i = Average rainfall intensity (in inches per hour [in/hr])

A = Drainage area (acres)

PRE-CONSTRUCTION								
Drainage Area	Area (acres)	C	Intensity, i (in/hr)			Discharge, Q (cfs)		
			5-yr	25-yr	100-yr	5-yr	25-yr	100-yr
Total Pervious Cover	3.02	0.47	2.46	3.47	4.41	3.29	4.93	6.26

POST-CONSTRUCTION								
Drainage Area	Area (acres)	C	Intensity, i (in/hr)			Discharge, Q (cfs)		
			5-yr	25-yr	100-yr	5-yr	25-yr	100-yr
Structures/Rooftops	0.08	0.80	2.46	3.47	4.41	0.19	0.27	0.34
Parking	0.02	0.80	2.46	3.47	4.41	0.05	0.07	0.09
Other Paved Surfaces	0.64	0.80	2.46	3.47	4.41	1.53	2.15	2.74
Total Pervious Cover	2.28	0.53	2.46	3.47	4.41	2.64	3.72	4.73
Total Discharge						4.40	6.21	7.89

Notes:

Runoff Coefficients (C) derived from Table 5.5.3A, City of San Antonio (CoSA) Storm Water Design Criteria Manual, Revised April 2019.

Rainfall Intensities (i) derived from Table 5.5.1.A, CoSA Storm Water Design Criteria Manual, Revised April 2019.

ATTACHMENT E - CALCULATIONS

PRE-CONSTRUCTION								
Drainage Area	Area (acres)	C	Intensity, i (in/hr)			Discharge, Q (cfs)		
			5-yr	25-yr	100-yr	5-yr	25-yr	100-yr
Total Pervious Cover	3.02	0.47	2.46	3.47	4.41	3.49	4.93	6.26

POST-CONTRCUTION								
Drainage Area	Area (acres)	C	Intensity, i (in/hr)			Discharge, Q (cfs)		
			5-yr	25-yr	100-yr	5-yr	25-yr	100-yr
Structures/Rooftops	0.080	0.97	2.46	3.47	4.41	0.19	0.27	0.34
Parking	0.020	0.97	2.46	3.47	4.41	0.05	0.07	0.09
Other Paved Surfaces	0.64	0.97	2.46	3.47	4.41	1.53	2.15	2.74
Total Pervious Cover	2.28	0.47	2.46	3.47	4.41	2.64	3.72	4.73
Total Discharge						4.40	6.21	7.89

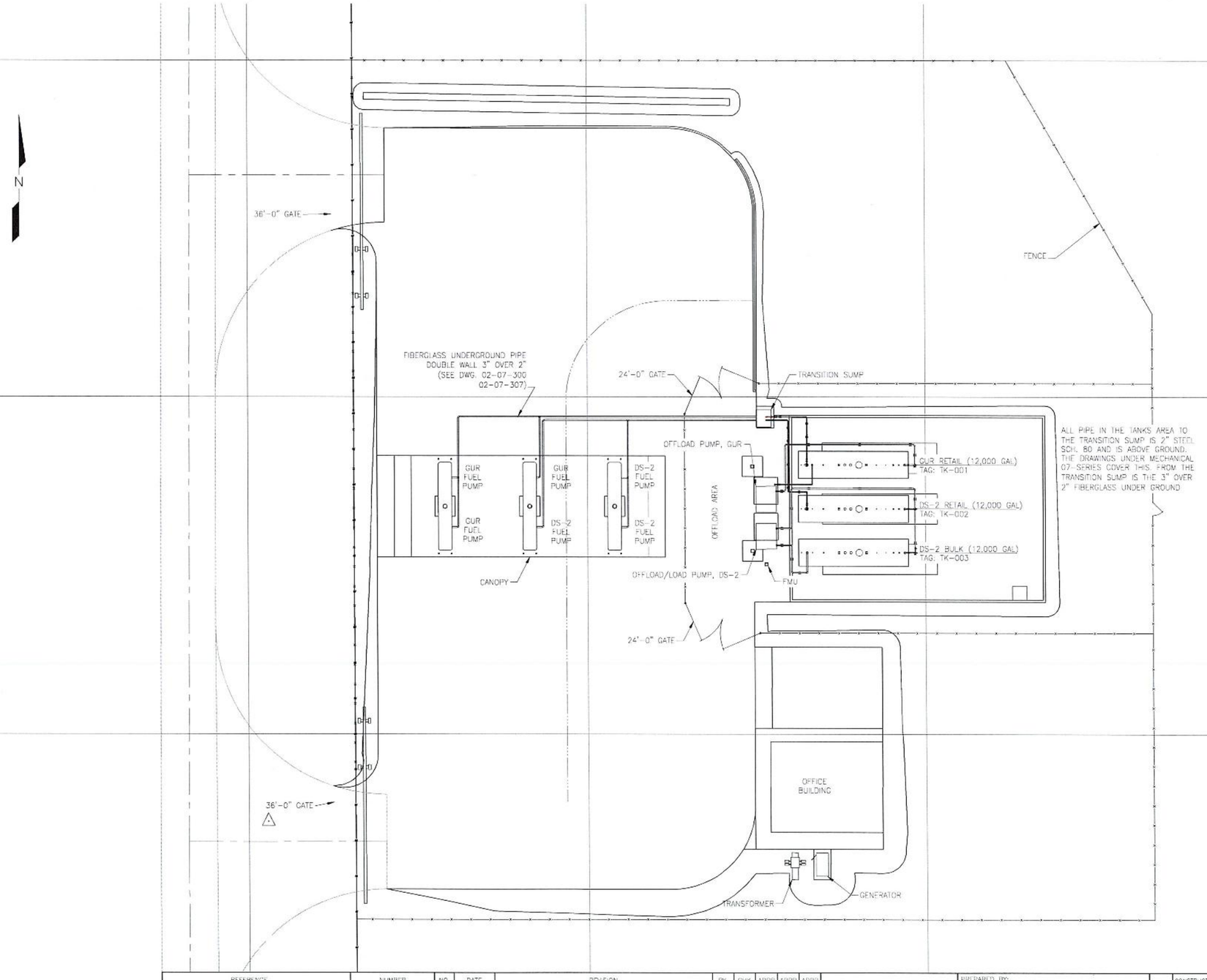
ATTACHMENT F
SUITABILITY LETTER FROM AUTHORIZED AGENT

NOT INCLUDED –
AN ON-SITE SEWAGE FACILITY IS NOT PROPOSED

ATTACHMENT G
ALTERNATIVE SECONDARY CONTAINMENT METHODS

NOT INCLUDED –
ALTERNATIVE SECONDARY CONTAINMENT IS NOT PROPOSED

ATTACHMENT H
AST CONTAINMENT STRUCTURE DRAWINGS



STATE OF TEXAS
RICHARD D. VARNELL
135525
LICENSED
PROFESSIONAL ENGINEER

Richard Varnell
7/6/2023
Firm #3775

ISSUED FOR BID

XX-XXX-XXXX

REFERENCE	NUMBER	NO.	DATE	REVISION	BY	CHK	APPR	APPR	APPR
		A	XX/XX/XX	ISSUED FOR BID	CRC	SB	RG		

PREPARED BY:

TRC
Results you can rely on
Government Services, LLC

DRAWING ISSUES

		ISSUED FOR:	SIGNATURE	DATE	REV.
CONSTRUCTION:	LAST / ORIG.				
BIDS:	LAST / ORIG.				
APPROVAL:	LAST / ORIG.				
INFORMATION:	LAST / ORIG.				

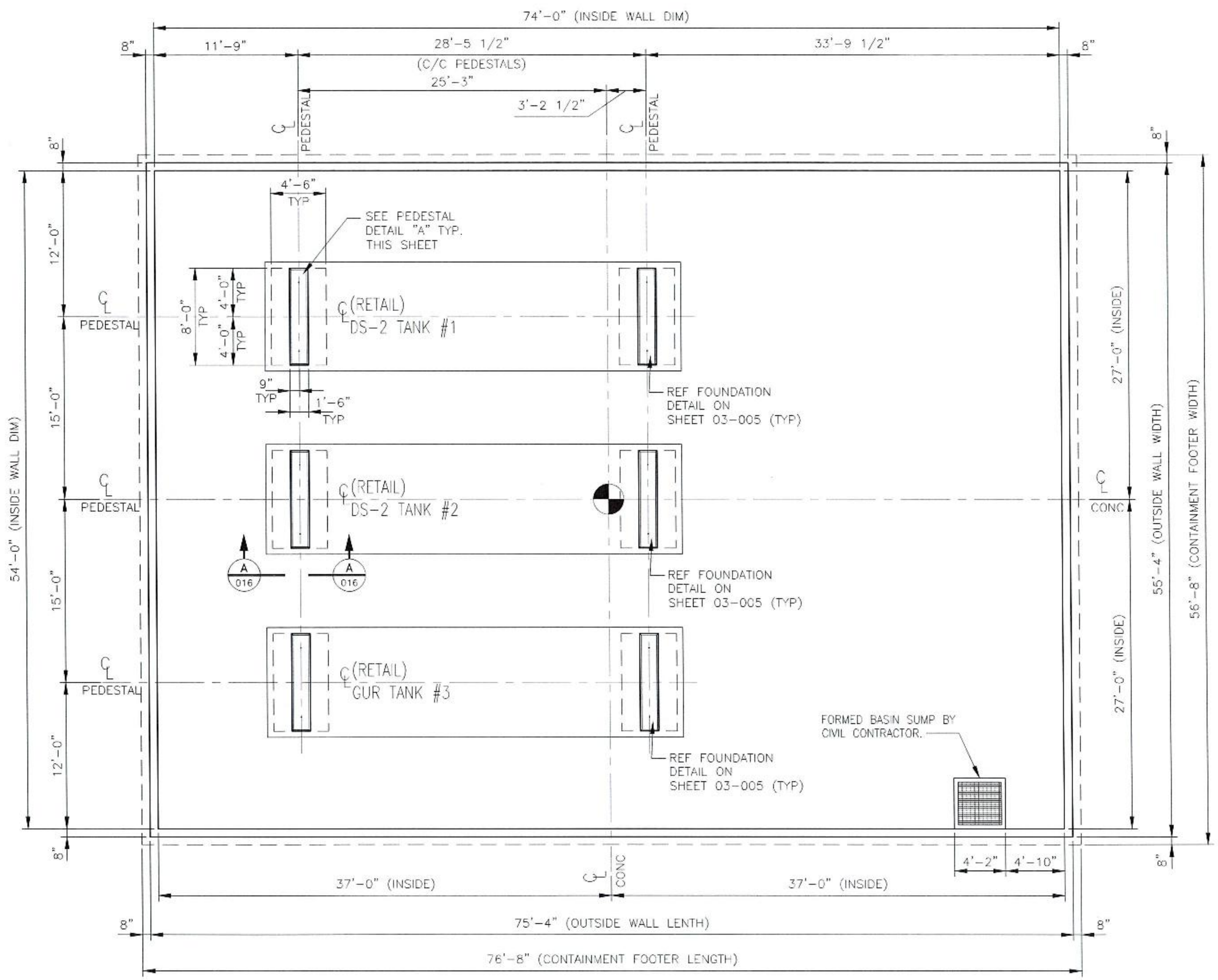
DRAWING APPROVALS

DRAWN:	CRC	DATE: 02/27/20
CHECKED:		DATE:
ENGINEER:		DATE:
TRC PM:		DATE:
CLIENT:		DATE:
CLIENT:		DATE:

TRC GOVERNMENT SERVICES

CAMP BULLIS
PIPING PLOT PLAN
COCO FUEL OPERATIONS

SCALE	PROJECT NO.	DRAWING NO.	SHEET	REV.
1/16"=1'-0"	365063	02-07-100	1 OF 1	A

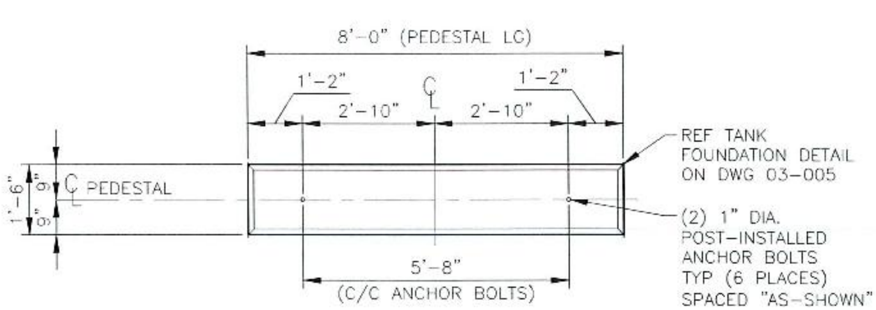


STATE OF TEXAS
RICHARD D. VARNELL
135525
LICENSED PROFESSIONAL ENGINEER

Richard Varnell
7/6/2023
Firm#3775

LEGEND

INDICATES FOUNDATION LOCATION



(RETAIL AREA) TANK FOUNDATION ANCHOR PLAN

SCALE: NONE (TYP (6) FOUR PLACES FOR TANKS #1, #2 & #3)

STORAGE TANK FOUNDATION LAYOUT VIEW

SCALE: 3/16"=1'-0"

ISSUED FOR BID
13-JAN-2023

NO.	DATE	REVISION	BY	CHK	APPR	APPR	APPR
A	01-13-23	ISSUED FOR BID	CTL	KDE	DGB		RG

PREPARED BY: TRC

DRAWING ISSUES				
CONSTRUCTION	LAST / ORIG.			
BIDS	LAST / ORIG.			
APPROVAL	LAST / ORIG.			
INFORMATION	LAST / ORIG.			
ISSUED FOR:	SIGNATURE		DATE	REV.

DRAWING APPROVALS			
DRAWN:	CTL	DATE:	11-02-22
CHECKED:	KDE	DATE:	01-13-23
ENGINEER:	DGB	DATE:	01-13-23
TRC PM:		DATE:	
CLIENT:	XX	DATE:	XXX
CLIENT:		DATE:	

TRC GOVERNMENT SERVICES

JOINT BASE SAN ANTONIO
BULK STORAGE FOUNDATION LAYOUT
COCO FUEL OPERATIONS
CAMP BULLIS

SCALE	PROJECT NO.	DRAWING NO.	SHEET	REV.
NOTED	365063	02-03-015	1 OF 1	A

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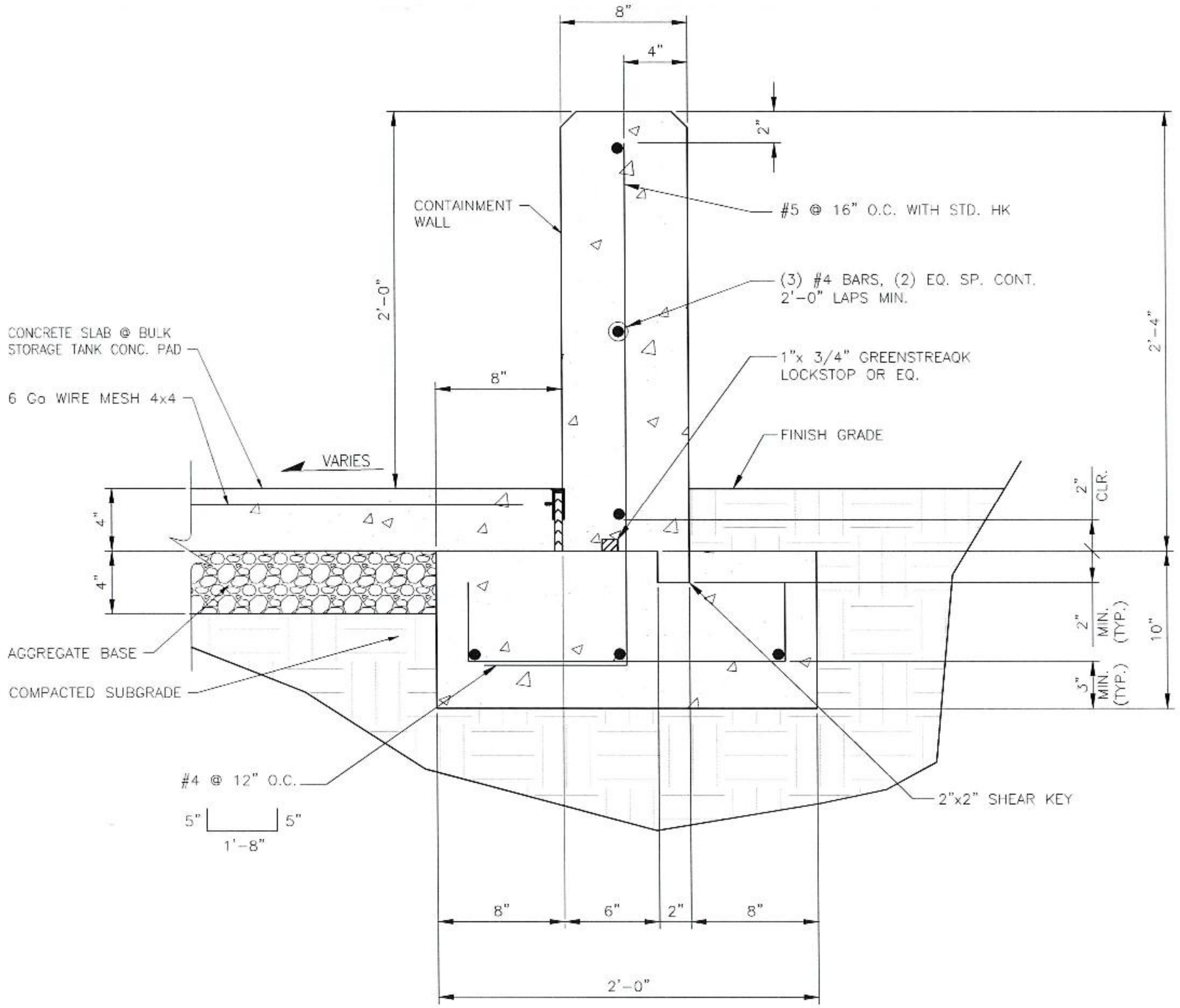

SECTION C SH1.1

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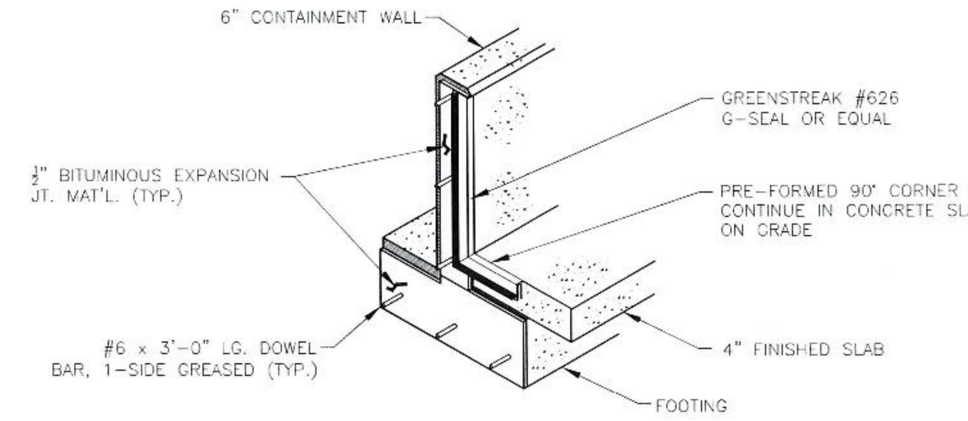

(TYP.) EXPANSION JOINTS IN WALLS AND FOOTINGS

SCALE: NONE

STATE OF TEXAS
RICHARD D. VARNELL
135525
LICENSED
PROFESSIONAL ENGINEER

Richard Varnell
7/6/2023
Firm #3775

ISSUED FOR BID
13-JAN-2023

REFERENCE	NUMBER	NO.	DATE	REVISION	BY	CHK	APPR	APPR	APPR
		A	01-13-23	ISSUED FOR BID	CTL	KDE	DGB		RG

PREPARED BY: TRC

DRAWING ISSUES				
CONSTRUCTION	LAST / ORIG			
BIDS	LAST / ORIG			
APPROVAL	LAST / ORIG			
INFORMATION	LAST / ORIG			
ISSUED FOR:		SIGNATURE	DATE	REV.

DRAWING APPROVALS			
DRAWN:	CTL	DATE:	11-02-22
CHECKED:	KDE	DATE:	01-13-23
ENGINEER:	DGB	DATE:	01-13-23
TRC PM:		DATE:	
CLIENT:	XX	DATE:	XXX
CLIENT:		DATE:	

TRC GOVERNMENT SERVICES

JOINT BASE SAN ANTONIO
BULK STORAGE FOUNDATION DETAILS
COCO FUEL OPERATIONS
CAMP BULLIS

SCALE	PROJECT NO.	DRAWING NO.	SHEET	REV.
NOTED	365063	02-03-017	1 OF 1	A

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ATTACHMENT I
20% OR LESS IMPERVIOUS COVER WAIVER

NOT INCLUDED –
SITE WILL HAVE GREATER THAN 20% IMPERVIOUS COVER

ATTACHMENT J
BMPS FOR UPGRADIENT STORMWATER

Attachment J – Best Management Practices for Upgradient Stormwater

Project Summary

An aboveground storage tank (AST) system consisting of three, 12,000-gallon double walled, steel ASTs in a concrete containment structure will be constructed on the subject property. Gasoline and diesel fuel will be stored in the ASTs and distributed to government vehicles via a canopied area with fuel dispensers as shown in the attached plans.

Clean stormwater runoff will be directed into either a drain box or in the case of the top of the canopy, piped under all concrete to the facility edge. Where the water will be directed through rock dissipators and allowed to move across the grassland for infiltration. A berm will be constructed on the uphill side of the facility. The berm will run the length of the facility pavement and will prevent potential run-on water from draining onto the facility pavement. Instead, the berm will redirect the flow either to Camp Bullis Road or to the southeast, toward the grassed, undeveloped portion of the Site.

There will be two 6" drain outlets discharging into two Wet Vault Detention Vaults. The basins contain a commercial oil stop valve that will allow clean water to discharge out to the environment onto grass filter strips. Any oil or fuel floating on top will cause a float to shut off the outflow, trapping the fuel in the vault. The fuel will remain contained until the vault can be cleaned by our Operators, who will perform regular visual inspections.

Upgradient stormwater will drain onto the subject property via sheet flow from the area to the north-northeast of the Site. Once on-site, upgradient stormwater will drain across the site .

Construction BMPs

Temporary BMPs that will be implemented during construction include the following:

1) Fiber rolls will be installed in accordance with requirements provided in RG-348 will be installed on the north side of the construction site to reduce or slow overland stormwater flow onto the site.
2) A concrete washout area in accordance with requirements provided in RG-348 will be built and used during site construction. As shown on the attached plans, the concrete washout area will be protected from upgradient stormwater. At the conclusion of construction, the concrete will be removed and the area will be seeded or hydromulched with a climate appropriate grass species.
3) A construction Stormwater Pollution Prevention Plan (SWPPP) has been prepared for the Site and will be followed during construction. The SWPPP includes inspection schedules.

Permanent BMPs

Permanent upgradient water BMPs that will be implemented at the site include the following:

1) A concrete catch basin capable of impounding 150% of the total possible stored fuels will be implemented. An aggregate total of 36,000 gallons of gasoline and diesel will be stored in three tanks - 150% of this total is 54,000 gallons. The containment will be a nominal 54-feet wide x 74-feet long x 2-feet high. After adjusting for displacement by the ASTs, AST supports, and other equipment in the containment, it will hold approximately 54,948 gallons. The containment will drain to a sump, from the sump to a wet vault, and from the wet vault to a stone diffuser and from there through an engineered vegetative filter strip and off of the site to the south via overland flow.
2) The AST system will be constructed of double walled steel and will be fully compatible with its contents. It will be operated only at ambient temperature and pressure conditions. Overfill protection will be provided by direct reading sight gauges, the physical presence of facility personnel, and local overfill/high level alarms.
3) Stormwater on facility pavement (including the canopied dispenser islands) will be directed to a second wet vault via a curb drain. From the wet vault stormwater will drain to a stone diffuser and from there through an engineered vegetative filter strip and off of the site to the south via overland flow.
4) Both wet vaults will be constructed with an oil stop valve to prevent small releases from leaving the wet vault and discharging off-site.
5) In the event of any spill, vacuum trucks will be called in to remove the fuel and dispose of it properly.
6) During AST refueling operations active measures, including an on-site attendant, spill control equipment, and fuel delivery procedures.

Prevention/Counter Measurements After Construction

Regularly scheduled inspections, evaluations, and testing of bulk oil storage containers by personnel are critical parts of discharge prevention. Frequent external visual inspections will be completed on a daily basis by trained facility personnel.

Qualified personnel should:

- Test or inspect each container for integrity on a regular schedule and whenever material repairs are made.
- Frequently inspect the outside of the container for signs of deterioration, discharges, or accumulation of oil inside diked areas.
- Inspect the container's supports and foundations, as well as record keeping of inspections and tests performed.

Spills of regulated of substances in the Edwards Aquifer Recharge Zone or Contributing Zone within 5 miles of the recharge zone having the potential to pollute the Aquifer and hydrologically-connected surface streams are to be reported to the Edwards Aquifer Authority within 72 hours (EAA Rules 713.400-409). Return completed form to the EAA Environmental

Protection Team by: email spill_notice@edwardsaquifer.org; drop off at 900 East Quincy, San Antonio, TX 78215; or fax to (210) 222-9869.

ATTACHMENT K
BMPS FOR ON-SITE STORMWATER

Attachment K – Best Management Practices for On-Site Stormwater

Project Summary

An aboveground storage tank (AST) system consisting of three, 12,000-gallon double walled, steel ASTs in a concrete containment structure will be constructed on the subject property. Gasoline and diesel fuel will be stored in the ASTs and distributed to government vehicles via a canopied area with fuel dispensers as shown in the attached plans.

Clean stormwater runoff will be directed into either a drain box or in the case of the top of the canopy, piped under all concrete to the facility edge. Where the water will be directed through rock dissipators and allowed to move across the grassland for infiltration. A berm will be constructed on the uphill side of the facility. The berm will run the length of the facility pavement and will prevent potential run-on water from draining onto the facility pavement. Instead, the berm will redirect the flow either to Camp Bullis Road or to the southeast, toward the grassed, undeveloped portion of the Site.

Construction BMPs

Temporary BMPs that will be implemented during construction include the following:

1) Fiber rolls will be installed in accordance with requirements provided in RG-348 will be installed on the north (upgradient) and south (downgradient) sides of the construction site to reduce or slow overland stormwater flow onto and off of the site.
2) A concrete washout area in accordance with requirements provided in RG-348 will be built and used during site construction. As shown on the attached plans, the concrete washout area will be protected from upgradient stormwater. At the conclusion of construction, the concrete will be removed and the area will be seeded or hydromulched with a climate appropriate grass species.
3) A construction Stormwater Pollution Prevention Plan (SWPPP) has been prepared for the Site and will be followed.

Permanent BMPs

Once the facility is complete there will be several Permanent BMP(s) including the following:

1) All three of the 12,000-gallon aboveground storage tanks (ASTs) will be double-walled tanks with interstitial fluid alarms which will alert the facility operators in the event that there has been a fuel release from the inner tank. The double wall will serve as primary secondary containment for the fuel stored inside.

2) All three ASTs will be located inside a concrete basin capable of impounding 150% of the total possible stored fuels. An aggregate total of 36,000 gallons of gasoline and diesel will be stored in the ASTs, so 150% of the total possible stored fuels equals 54,000 gallons. The basin will be a nominal 54-feet wide x 74-feet long x 2-feet high with an overall containment capacity of 59,784 gallons and an actual containment capacity (total

containment minus displacement by AST supports and other equipment) of 54,948 gallons. The concrete containment structure will serve as an ancillary form of secondary containment for the fuel in the ASTs. In the event of a tank release, vacuum trucks will be called in to remove and dispose of the fuel from the containment.

3) The basin will drain to a concrete sump equipped with a valve that will remain locked and closed during normal business operations. In the event that stormwater with no sheen is observed in the containment by an operator, the valve will be unlocked and opened and the stormwater drained via gravity flow to a wet vault constructed of concrete.

    a. The wet vault is equipped with an oil-stop valve (see attached product literature). The oil stop valve will contain any minor fuel releases in the basin wet vault. In the event that fuel is observed in the wet vault, a vacuum truck will be called in to remove and dispose of the fuel.

    b. The wet vault will serve as a settling basin and will retain grit and solids that drop out of solution, thus reducing the total suspended solids (TSS) content of the water. Grit and other solids will be removed from the wet vault on an as needed basis.

    c. As shown on the plans provided with this application, the basin wet vault will drain to a riprap-improved outfall and, from there, will drain as sheet flow across a vegetative filter strip located in the grassed and undeveloped portion of the property.

    d. As documented in Regulatory Guidance RG-348, *Complying with the Edwards aquifer Rules, Technical Guidance on Best Management Practices*, a wet vault and the vegetative filter strip are capable of reducing the TSS load of stormwater runoff by a value greater than 80%.

4) The fuel dispensers will be covered with a canopy to protect them from direct contact with stormwater. The fuel dispensers are equipped with automatic shutoff valves in the event of a fuel release from a dispenser. In addition, fuel released in the dispenser area will be directed via graded pavement to a curb drain that empties to a second wet vault. This wet vault will receive drainage from the entire paved portion of the facility (outside of the concrete AST containment basin described above). This wet vault will be identical to the wet vault described above. It will function as a settling basin, as a secondary containment structure for minor fuel releases, and will drain to a riprap-improved outfall and, from there, to a vegetative filter strip.

5) An emergency generator (with an integrated, double walled 50-gallon diesel tank) and a pad-mounted power transformer will be located on-site. As neither of these units contains greater than 500 gallons of oil, additional secondary containment is not planned for either unit. However, both will be inspected in accordance with the Spill Prevention,

Control, and Countermeasures (SPCC) Plan that will be created for the site. Active measures will be utilized to contain any release from either unit.

6) In the event of any spill, vacuum trucks will be called in to remove the fuel and dispose of it properly.

7) During AST refueling operations active measures, including an on-site attendant, spill control equipment, and fuel delivery procedures.

Prevention/Counter Measurements After Construction

Regularly scheduled inspections, evaluations, and testing of bulk oil storage containers by personnel are critical parts of discharge prevention. Frequent external visual inspections will be completed on a regular basis by trained facility personnel.

Qualified personnel should:

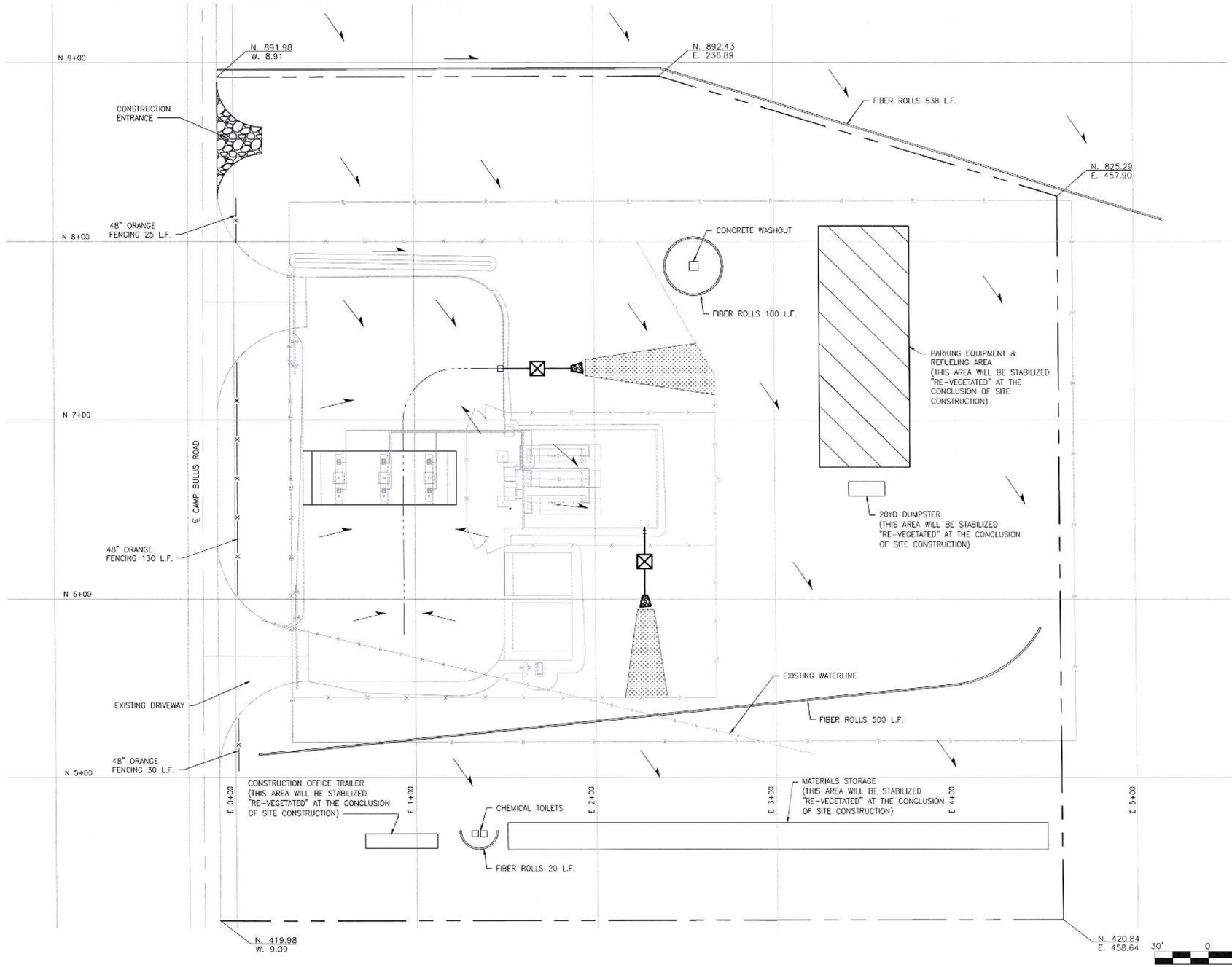
- Test or inspect each container for integrity on a regular schedule and whenever material repairs are made.
- Frequently inspect the outside of the container for signs of deterioration, discharges, or accumulation of oil inside diked areas.
- Inspect the container's supports and foundations, as well as record keeping of inspections and tests performed.

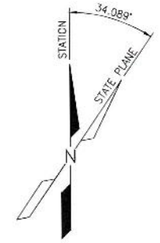
Spills of regulated of substances in the Edwards Aquifer Recharge Zone or Contributing Zone within 5 miles of the recharge zone having the potential to pollute the Aquifer and hydrologically-connected surface streams are to be reported to the Edwards Aquifer Authority within 72 hours (EAA Rules 713.400-409). Return completed form to the EAA Environmental Protection Team by: email spill_notice@edwardsaquifer.org; drop off at 900 East Quincy, San Antonio, TX 78215; or fax to (210) 222-9869.

ATTACHMENT L
BMPS FOR SURFACE STREAMS

NOT INCLUDED –
BMPS FOR SURFACE STREAMS NOT REQUIRED FOR SITE

ATTACHMENT M
CONSTRUCTION PLANS





Firm #3775

STATE OF TEXAS
RICHARD D. VARNELL
135525
LICENSED
PROFESSIONAL ENGINEER

Richard Varnell
7/6/2023

LEGEND

- FIBER ROLLS/WATTLE
- CONSTRUCTION FENCE
- TEMPORARY WORKSPACE
- LAYOUT AREA
- CONSTRUCTION AREA
- ENGINEERED VEGETATIVE FILTER STRIP
- WATER FLOW DIRECTION

CONSTRUCTION DISTURBED AREA: 4.89 ACRES

NOTES:

1. FIBER ROLLS WILL BE INSTALLED IN ACCORDANCE WITH REQUIREMENTS IN REGULATORY GUIDANCE (RG) 348.
2. CONCRETE WASHOUT AREA WILL BE INSTALLED AND OPERATED IN ACCORDANCE WITH REQUIREMENTS IN (RG) 348.
3. SEE DRAWING 365063-02-107 SITE AND AREA DRAINAGE PLAN FOR EXTENDED FLOW PATTERN.

ISSUED FOR BID
13-JAN-2023

REFERENCE	NUMBER	NO.	DATE	REVISION	BY	CHK	APPR	APPR	APPR
		B	01-13-23	RE-ISSUED FOR BID	CTL	KDE	DGB		RG
		A	11-15-22	ISSUED FOR BID	CTL	KDE	DGB		RG

PREPARED BY: TRC

DRAWING ISSUES

CONSTRUCTION	LAST ORIG.			
BIDS	LAST ORIG.			
APPROVAL	LAST ORIG.			
INFORMATION	LAST ORIG.			

ISSUED FOR:	SIGNATURE	DATE	REV.

DRAWING APPROVALS

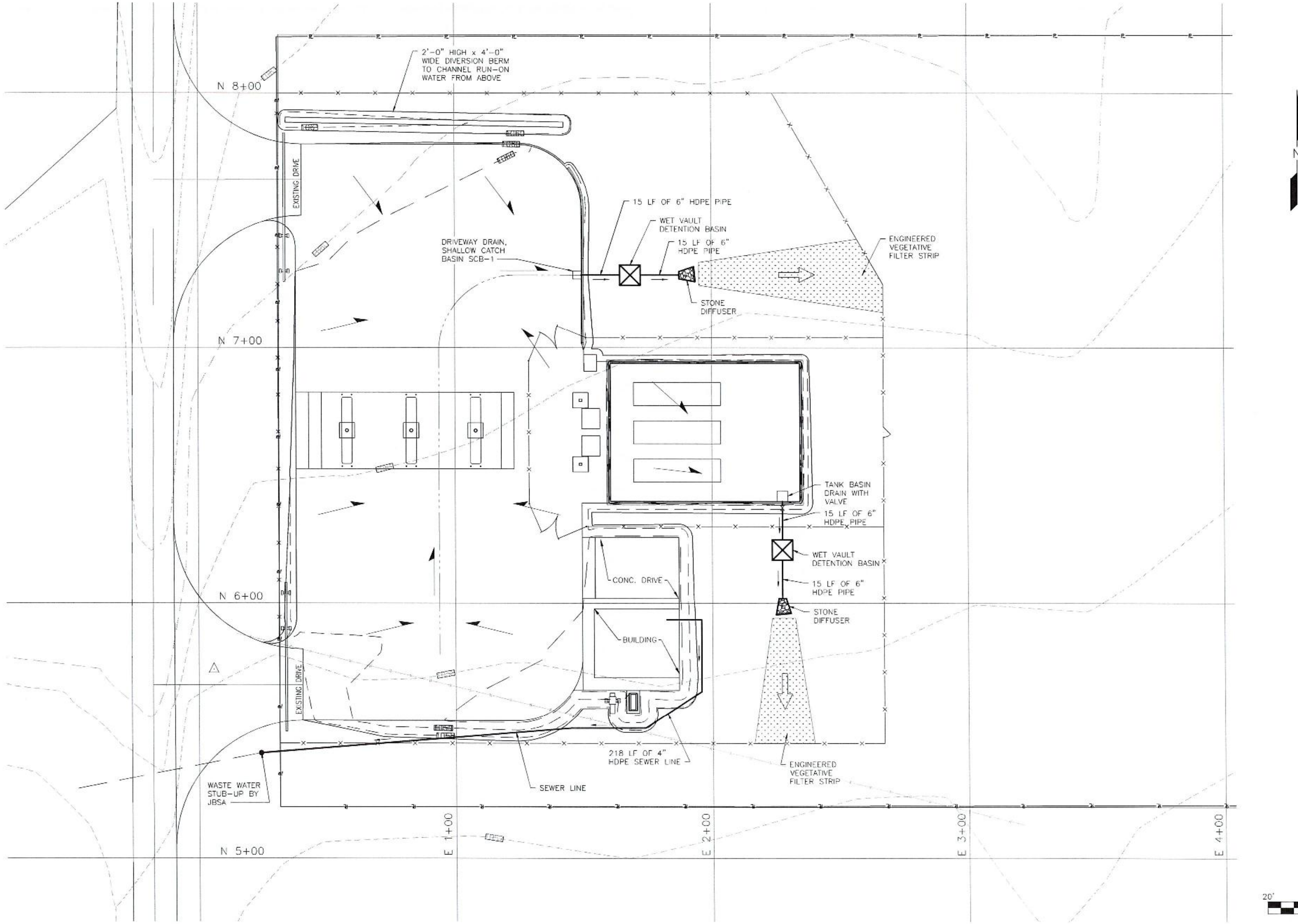
DRAWN:	CTL	DATE: 11-02-22
CHECKED:	KDE	DATE: 01-13-23
ENGINEER:	DGB	DATE: 01-13-23
TRC PM:		DATE:
CLIENT:		DATE:
CLIENT:		DATE:

TRC GOVERNMENT SERVICES

JOINT BASE SAN ANTONIO
EROSION CONTROL PLAN
COCO FUEL OPERATIONS
CAMP BULLIS

SCALE	PROJECT NO.	DRAWING NO.	SHEET	REV.
NOTED	365063	02-02-104	1 OF 1	B

SAVED: 22-May-2023 | 2:41 PM | PRINTED: 24-May-2023 | 9:43:36 AM



STATE OF TEXAS
RICHARD D. VARNELL
135525
LICENSED
PROFESSIONAL ENGINEER

Richard Varnell
7/6/2023
Firm #3775

LEGEND

- STONE DIFFUSER SEE DWG 365063-01-02-105
- WET VAULT DETENTION BASIN, PER CIVIL S.O.W. W/ VALVE
- SURFACE WATER SLOPE INDICATOR
- DIRECTION OF PIPING FLOW
- DRIVEWAY DRAIN, SHALLOW CATCH BASIN SCB-1 W/ VALVE
- ENGINEERED VEGETATIVE FILTER STRIP
- APPROXIMATE SURFACE WATER FLOW DIRECTION

20' 0 20' 40'
SCALE: 1"=20'

ISSUED FOR BID
13-JAN-2023

REFERENCE	NUMBER	NO.	DATE	REVISION	BY	CHK	APPR	APPR	APPR
		B	01-13-23	RE-ISSUED FOR BID	CTL	KDE	DGB		RG
		A	11-15-22	ISSUED FOR BID	CTL	KDE	DGB		RG

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TRC

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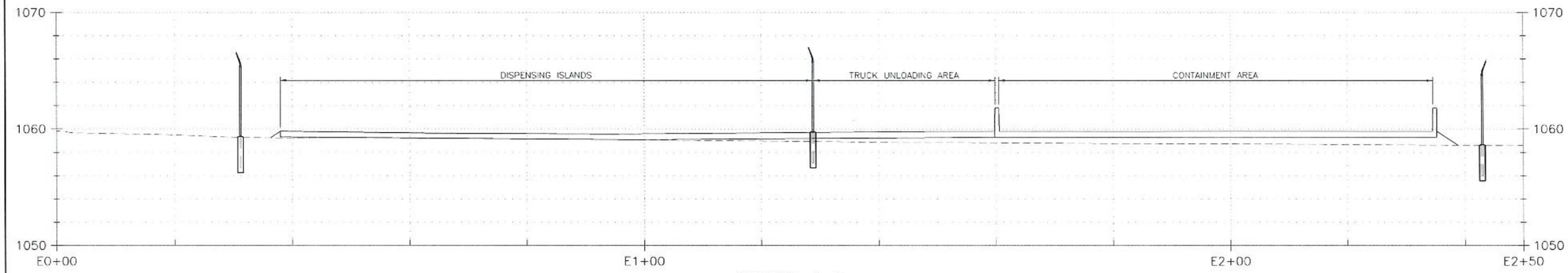
BIDS	LAST / ORIG.			
APPROVAL	LAST / ORIG.			
INFORMATION	LAST / ORIG.			
ISSUED FOR:		SIGNATURE	DATE	REV

DRAWING APPROVALS			
DRAWN:	CTL	DATE:	11-02-22
CHECKED:	KDE	DATE:	01-13-23
ENGINEER:	DGB	DATE:	01-13-23
TRC PM:		DATE:	
CLIENT:		DATE:	
CLIENT:		DATE:	

TRC GOVERNMENT SERVICES

JOINT BASE SAN ANTONIO
SEWER & OILY WATER DRAINAGE PLAN
COCO FUEL OPERATIONS
CAMP BULLIS

SCALE	PROJECT NO.	DRAWING NO.	SHEET	REV.
NOTED	365063	02-01-004	1 OF 1	B



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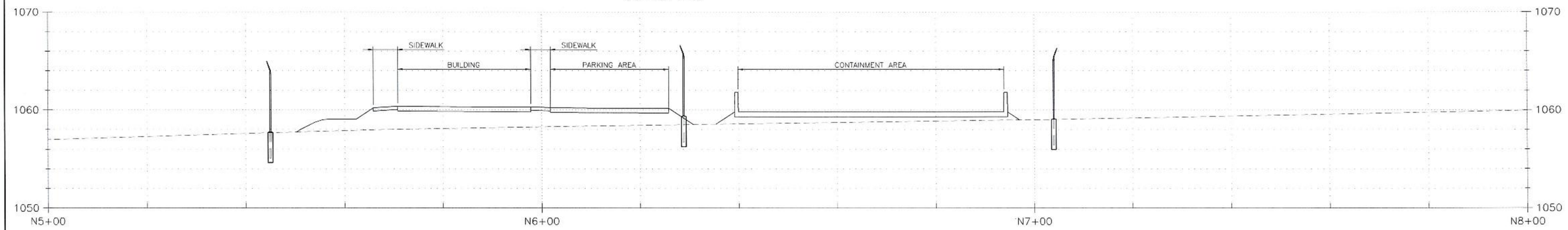
VERT SCALE: 1"=10'



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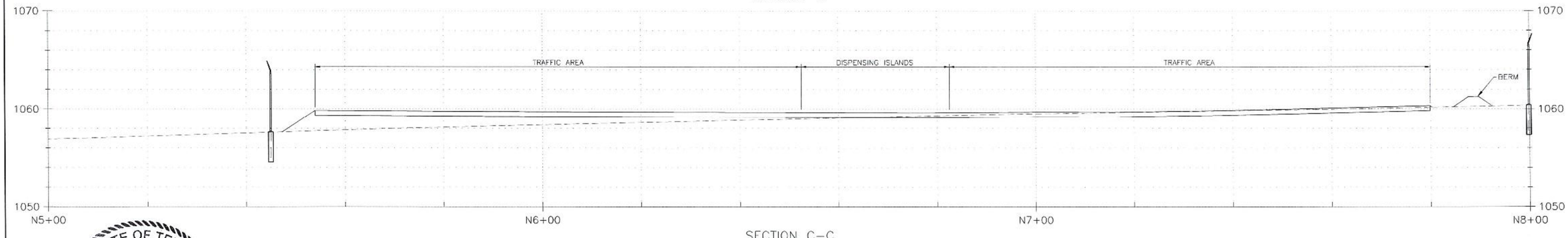
VERT SCALE: 1"=10'



SECTION C–C
HORIZ SCALE: 1"=20'
VERT SCALE: 1"=10'

STATE OF TEXAS
RICHARD D. VARNELL
135525
LICENSED
PROFESSIONAL ENGINEER

Richard Varnell 7/6/2023
Firm#3775

20' 0 20' 40'
SCALE: 1"=20'

ISSUED FOR BID
13 JAN 2023

REFERENCE	NUMBER	NO.	DATE	REVISION	BY	CHK	APPR.	APPR.	APPR.
		B	01-13-23	RE-ISSUED FOR BID	CTL	KDE	DGB		RG
		A	11-15-22	ISSUED FOR BID	CTL	KDE	DGB		RG

PREPARED BY: TRC

DRAWING ISSUES

ISSUED FOR:	SIGNATURE	DATE	REV.
CONSTRUCTION	LAST ORIG.		
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INFORMATION	LAST ORIG.		

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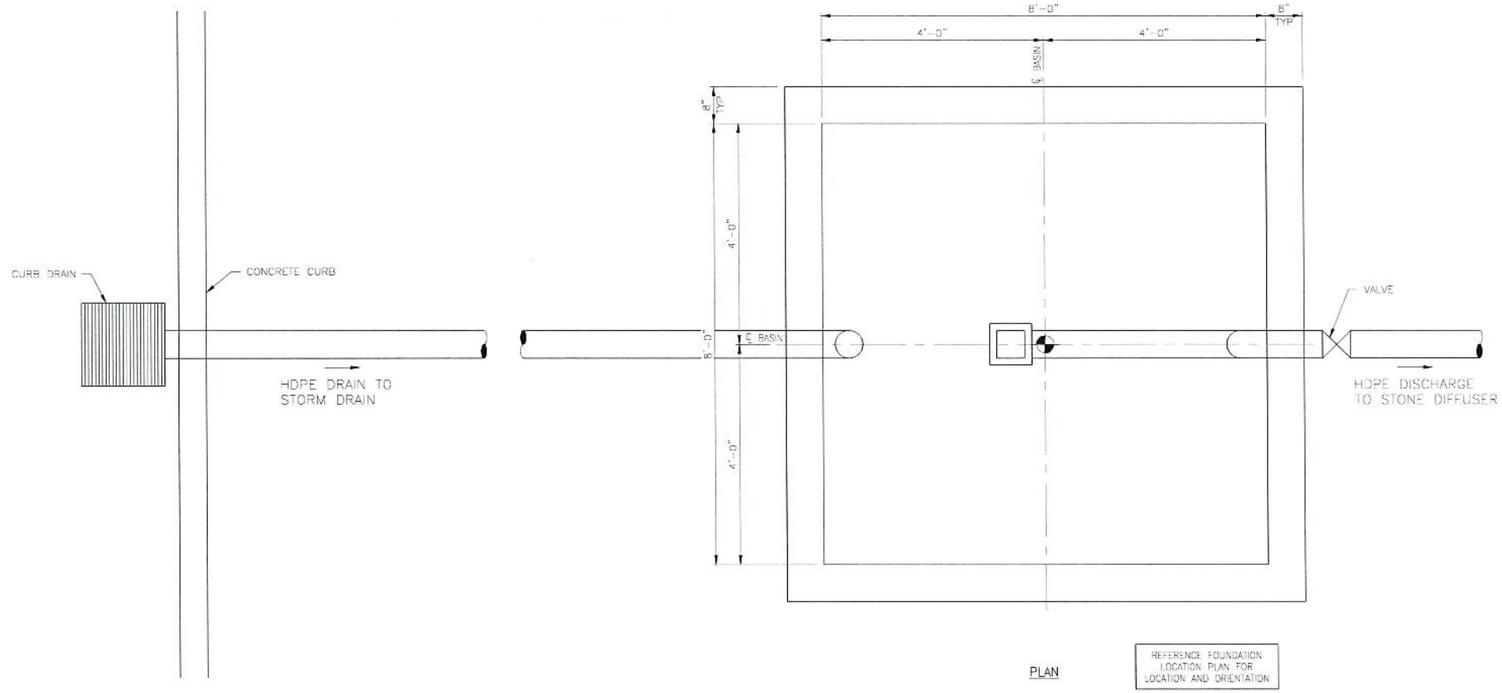
CHECKED:	KDE	DATE: 01-13-23
ENGINEER:	DGB	DATE: 01-13-23
TRC PM:		DATE:
CLIENT:		DATE:
CLIENT:		DATE:

TRC GOVERNMENT SERVICES

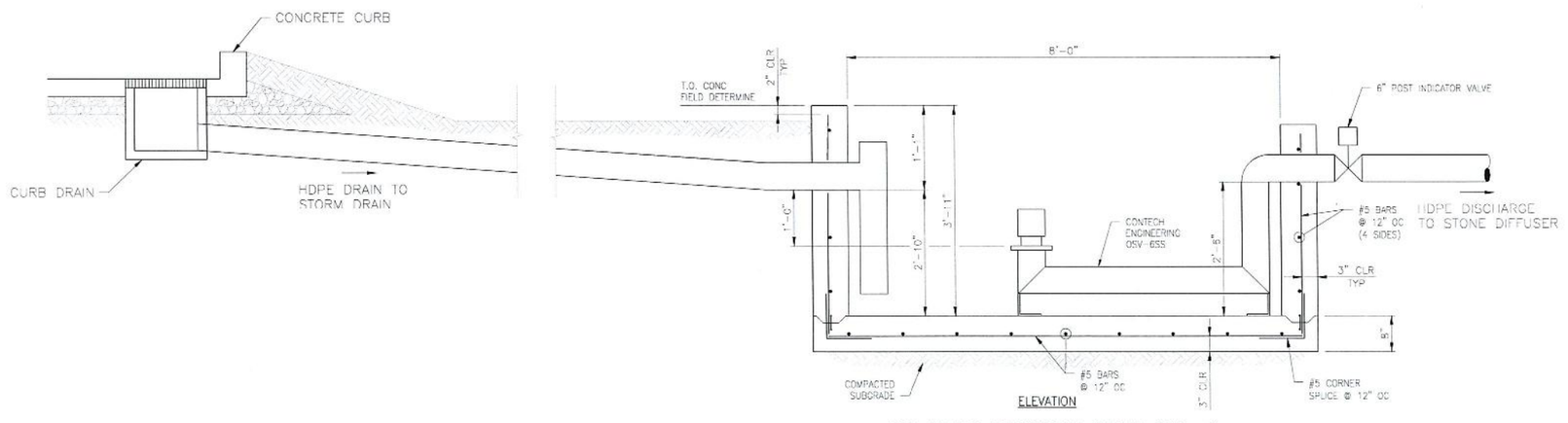
JOINT BASE SAN ANTONIO
GRADING SECTIONS
COCO FUEL OPERATIONS
CAMP BULLIS

SCALE	PROJECT NO.	DRAWING NO.	SHEET	REV.
NOTED	365063	02-02-004	1 OF 1	B



PLAN

REFERENCE FOUNDATION LOCATION PLAN FOR LOCATION AND ORIENTATION



ELEVATION

WET VAULT DETENTION BASIN (SD-1)

REF. DWG. 02-03-001
SCALE: 1"=1'-0"
(1 REQUIRED)

STATE OF TEXAS
RICHARD D. VARNELL
135525
LICENSED
PROFESSIONAL ENGINEER

7/6/2023
Firm #3775

LEGEND

INDICATES FOUNDATION LOCATION POINT

ISSUED FOR BID

13-JAN-2023

REFERENCE	NUMBER	NO.	DATE	REVISION	BY	CHK	APPR	APPR	APPR
FOUNDATION LOCATION PLAN	02-03-001								
		A	01-13-23	ISSUED FOR BID	CTL	KDE	DGB		RG

PREPARED BY: TRC

DRAWING ISSUES

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BIDS	LAST DRG.			
APPROVAL	LAST DRG.			
INFORMATION	LAST DRG.			
ISSUED FOR:		SIGNATURE	DATE	REV.

DRAWING APPROVALS

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ENGINEER:	DGB	DATE:	01-13-23
TRC PM:		DATE:	
CLIENT:	XX	DATE:	XXX
CLIENT:		DATE:	

TRC GOVERNMENT SERVICES

JOINT BASE SAN ANTONIO
WET VAULT DETENTION BASIN CONCRETE DETAILS
COCO FUEL OPERATIONS
CAMP BULLIS

SCALE	PROJECT NO.	DRAWING NO.	SHEET	REV.
NOTED	365063	02-03-014	1 OF 1	A

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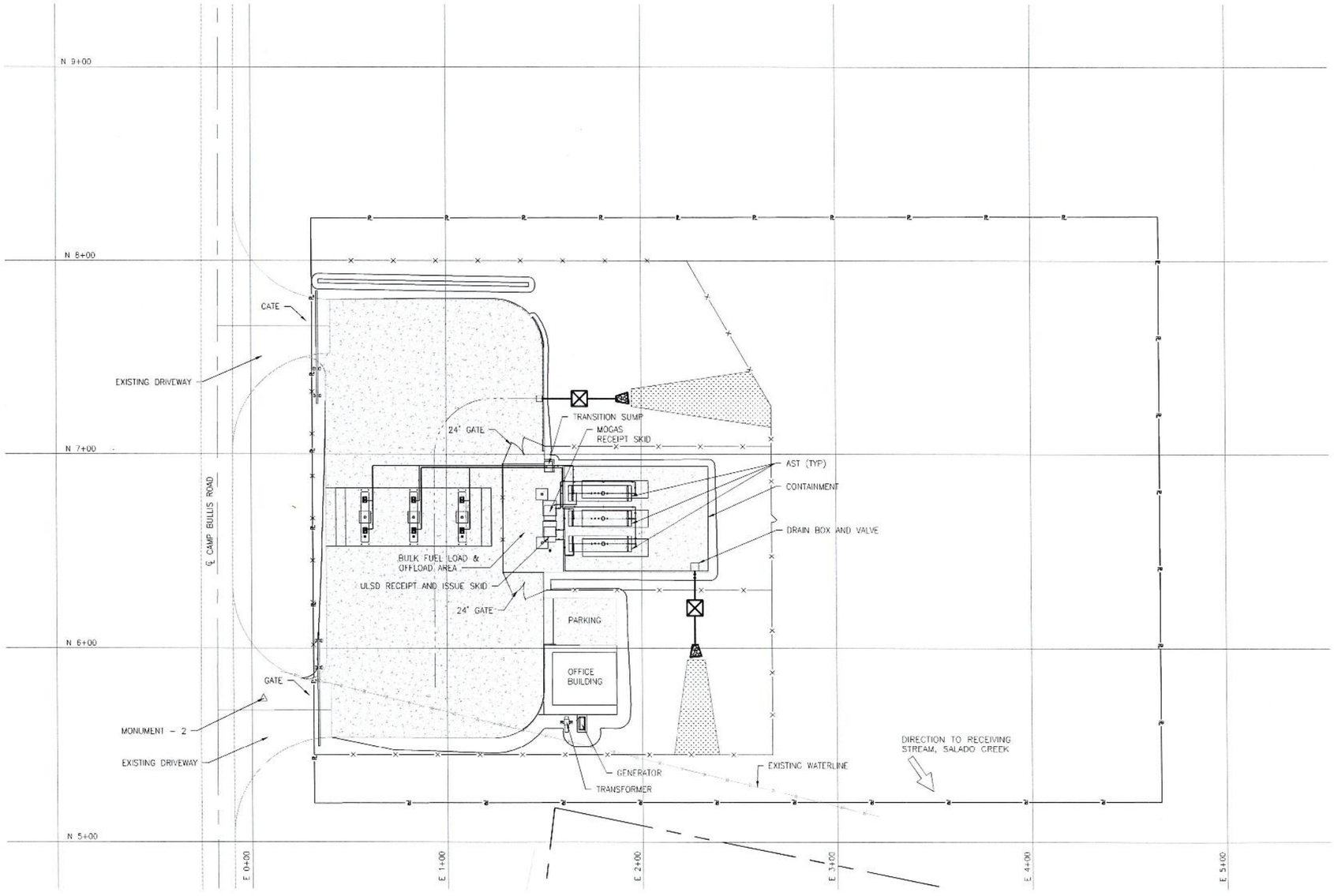

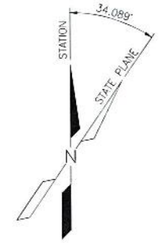

NOTE:

1. THERE ARE NO ON-SITE SURFACE WATERS.
2. SEE DRAWING 365063-02-01-104 EROSION CONTROL PLAN FOR FINAL SURFACE WATER FLOWS.

LEGEND

- EXISTING WATER LINE
- EXISTING U/G SEWER
- EXISTING FENCE
- NEW STATION FENCE
- PROPERTY LINE
- CONCRETE ROAD
- APPROXIMATE SURFACE WATER FLOW DIRECTION

MONUMENT – 1
NOT ON SHEET

20' 0 20' 40'
SCALE: 1"=20'

STATE OF TEXAS
RICHARD D. VARNELL
135525
LICENSED
PROFESSIONAL ENGINEER

Richard Varnell
7/6/2023
Firm # 3775

ISSUED FOR BID
13-JAN-2023

REFERENCE	NUMBER	NO.	DATE	REVISION	BY	CHK	APPR	APPR	APPR
		A	05-22-23	ISSUED FOR REVIEW	CTL	KDE	DGB		RG

PREPARED BY: TRC

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APPROVAL	LAST DRG.				
INFORMATION	LAST DRG.				

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CHECKED:	KDE	DATE: 01-13-23
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CLIENT:		DATE:
CLIENT:		DATE:

TRC GOVERNMENT SERVICES

JOINT BASE SAN ANTONIO
CONTRIBUTING ZONE PLAN APPLICATION FACILITY PLAN
COCO FUEL OPERATIONS
CAMP BULLIS

SCALE	PROJECT NO.	DRAWING NO.	SHEET	REV.
NOTED	365063	02-01-006	1 OF 1	A

DWG: M:\Projects - WOS\365063 JBSA COCO\Drawings\Camp Bullis\Civil\Electronic\365063-02-01-006.dwg
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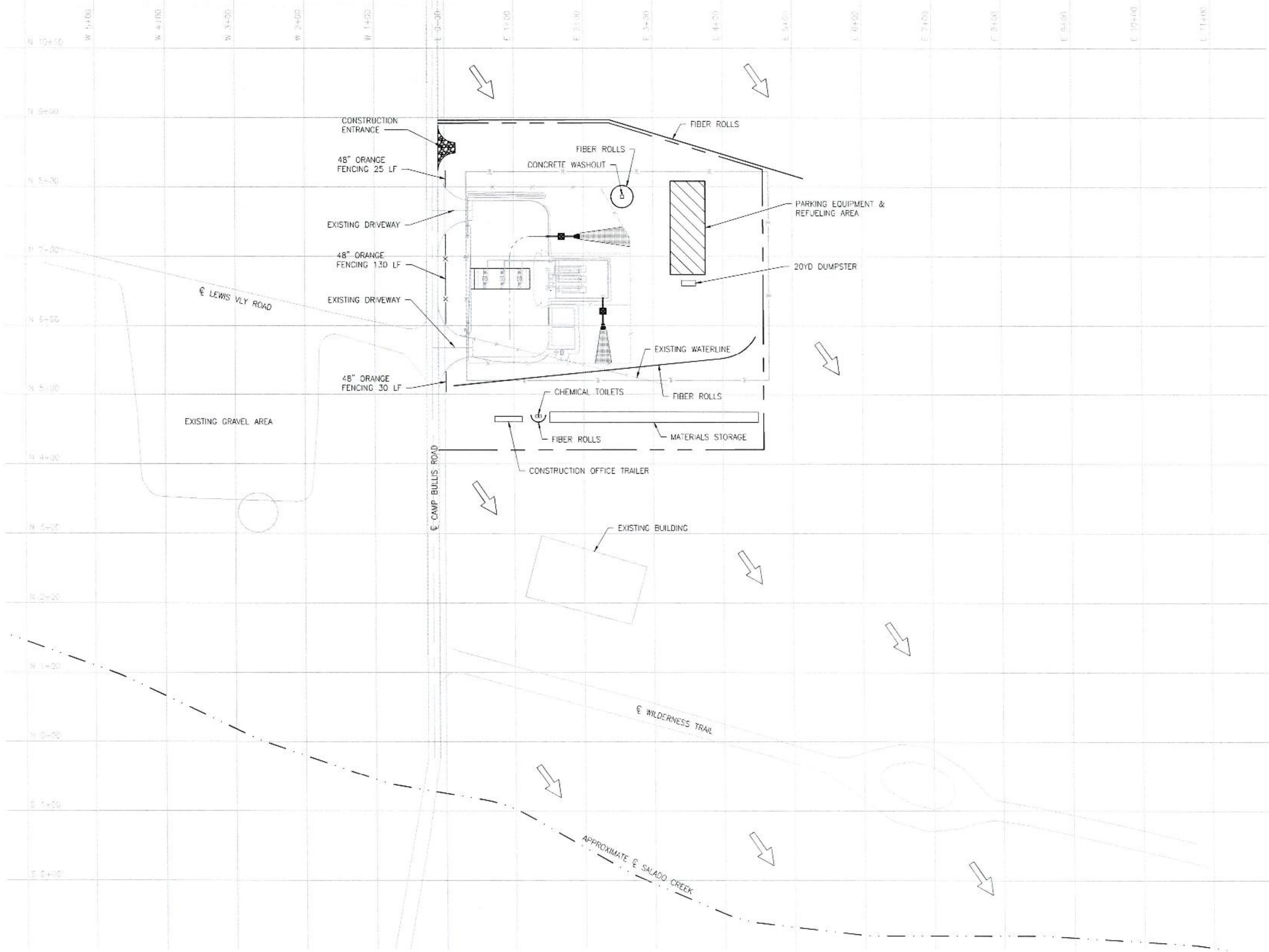

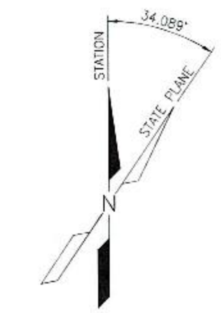

STATE OF TEXAS
RICHARD D. VARNELL
135525
LICENSED
PROFESSIONAL ENGINEER

Richard Varnell 7/6/2023
Firm# 3775

LEGEND

- FIBER ROLLS/WATTLE
- CONSTRUCTION FENCE TEMPORARY WORKSPACE
- LAYOUT AREA
- CONSTRUCTION AREA
- ENGINEERED VEGETATIVE FILTER STRIP
- APPROXIMATE SHEET FLOW ARROW

NOTES:

1. FIBER ROLLS WILL BE INSTALLED IN ACCORDANCE WITH REQUIREMENTS, IN REGULATORY GUIDANCE (RG) 348.
2. CONCRETE WASHOUT AREA WILL BE INSTALLED AND OPERATED IN ACCORDANCE WITH REQUIREMENTS IN (RG) 348.

80' 0 80' 160'

SCALE: 1"=80'

ISSUED FOR BID

13-JAN-2023

REFERENCE	NUMBER	NO.	DATE	REVISION	BY	CHK	APPR	APPR	APPR
		A	05-22-23	ISSUED FOR REVIEW	CTL	KDE	DGB		RG

PREPARED BY:

TRC

DRAWING ISSUES		SIGNATURE	DATE	REV.
CONSTRUCTION	LAST / ORIG.			
BIDS	LAST / ORIG.			
APPROVAL	LAST / ORIG.			
INFORMATION	LAST / ORIG.			
ISSUED FOR:				

DRAWING APPROVALS			
DRAWN:	CTL	DATE:	11-02-22
CHECKED:	KDE	DATE:	01-13-23
ENGINEER:	DGB	DATE:	01-13-23
TRC PM:		DATE:	
CLIENT:		DATE:	
CLIENT:		DATE:	

TRC GOVERNMENT SERVICES

JOINT BASE SAN ANTONIO
SITE AND AREA DRAINAGE PLAN
COCO FUEL OPERATIONS
CAMP BULLIS

SCALE	PROJECT NO.	DRAWING NO.	SHEET	REV.
NOTED	365063	02-02-107	1 OF 1	A

ATTACHMENT N
INSPECTION, MAINTENANCE, REPAIR, AND RETROFIT PLAN

Attachment N – Inspection, Maintenance, Repair, and Retrofit Plan

Attachment N has been prepared to document compliance with the Edwards Aquifer Rules. The proposed facility operation is only for fueling government vehicles. Three double-walled 12,000-gallon aboveground storage tanks (ASTs) with interstitial fluid alarms will be used to store automotive fuel. The three ASTs will be placed inside of a concrete containment structure capable of storing more than 150% of the aggregate total of fuel that the tank system is capable of holding.

The inspection procedures for the concrete containment structure are:

1) Inspection Schedule is monthly, after each time tanks are refueled, and after each distinct rain event. Inspections should be performed by a qualified operator of the facility. The inspector should visually inspect the containment and tanks to identify signs of excess oil/sheen accumulation and verify that all parts of the system are functioning correctly.
2) Look for any fuel or sheen. When using a stadia rod or other measuring device, it must be lowered to the top of the sediment pile carefully.
3) If fuel or a sheen are present:
    a. Use absorbent pads to collection/remove sheen from standing water. Once sheen has been removed, discharge water through sump to wet vault.
    b. Use a vacuum truck to remove significant amounts of fuel released to the containment structure, or if absorbent pads are insufficient to remove sheen from standing water.
    c. Used absorbent pads and waste materials removed from the containment must be disposed of in accordance with TCEQ policy and industry standards.
4) Inspect for any leaks. Assess the site for any signs of contamination in the event of a leak.
5) Confirm that interstitial sensors and overfill alarm are functional.
6) If a leak is discovered, stop the release (if possible), and notify the regulatory authority.
7) Concrete structures should be inspected. Look for cracks, voids and undermining should be patched and filled to prevent any additional damage. Cracked concrete should be sealed with an oil-resistant sealant.
8) Repair or replace any components that are inoperative.
9) The name of the inspector, date, time, sediment volume, oil/sheen presence, repair, and other notes should be documented during the inspection. Inspection documents must be kept for records.

Two wet vaults will be constructed at the site. One of the wet vaults will be constructed east of the driveway drain and the other one will be located south of and receive drainage from the AST containment structure.

Wet Vault Inspection Procedures:

1) Inspection Schedule is monthly, after each time tanks are refueled, after any release from tank piping or dispensers, and/or after each distinct rain event.

2) Unlock and open the vault using a handle/tool.
3) Inspect the volume of accumulated sediment using a stadia rod or other measuring device to evaluate the volume of accumulated sediment.
    a. When using a stadia rod or other measuring device, it must be lowered to the top of the sediment pile carefully.
    b. Remove sediment when it accumulates to one-third of the sump volume to prevent resuspension. The sump within the wet vault is the portion of the vault located at a lower elevation that the inlet for the oil stop valve.
    c. Vaults should be cleaned when there is no flow passing through the system.
4) Look for any fuel or sheen on standing water in vault. If fuel or a sheen are present:
    a. Use absorbent pads to collection/remove sheen from standing water.
    b. Use a vacuum truck to remove significant amounts of fuel released to the wet vault, or if absorbent pads are insufficient to remove sheen from standing water.
    c. Used absorbent pads and waste materials (oil and sediment) removed from the containment must be disposed of in accordance with TCEQ policy and industry standards.
5) Confirm that oil stop valve is functioning correctly.
6) Inspect for any leaks. Assess the site for any signs of contamination in the event of a leak.
7) If a leak is discovered, stop the release (if possible), and notify the regulatory authority.
8) Concrete structures should be inspected. Look for cracks, voids and undermining should be patched and filled to prevent any additional damage. Cracked concrete should be sealed with an oil-resistant sealant.
9) Repair or replace any components that are inoperative.
10) The name of the inspector, date, time, sediment volume, oil/sheen presence, repair, and other notes should be documented during the inspection. Inspection documents must be kept for records.

Two vegetative filter strips will be maintained on-site. Both will be vegetated with a climate appropriate grass species and maintained. Slopes will not exceed 20%. Seasonal fertilizer may be applied to the vegetative filter strips to maintain grass covering at least 80% of the filter strip. Both filter strips will be a minimum of 15 feet long in the direction of flow. If possible the filter strips will be greater than 50 feet long in the direction of flow.

Inspection procedures for the vegetative filter strips include:

1) Inspection Schedule is monthly, after each time tanks are refueled, and after each distinct rain event. Inspections should be performed by a qualified operator of the facility.
2) Look for any debris, staining (such as fuel), or bare spots devoid of grass or other vegetation.
3) Look for erosional paths such as gullies or rills. These should be filled as soon as possible.
4) Re-seed or sod backfilled gullies, rills, or bare patches. Document the repairs in the inspection form.

In the event that a system retrofit is necessary, TRC Government Services will review and comply with current Edwards Aquifer Rules.

Records documenting inspections will be maintained with the facility stormwater pollution prevention plan (SWPPP) and/or the facility Spill Prevention, Control, and Countermeasures (SPCC) Plan.

Certification

I, the undersigned Texas Professional Engineer, hereby certify that I am familiar with the technical requirements and Texas Commission on Environmental Quality (TCEQ) guidance for Edwards Aquifer Contributing Zone Plans. I certify that the AST containment structure for this facility meets requirements provided in 30 TAC 213b and applicable TCEQ guidance[1]. I certify that this document was prepared by me and that I am a registered professional engineer under the laws of the State of Texas.

For the purpose of this document, "certify" and "certification" shall be interpreted and construed to be a "statement of professional opinion". The certification is understood and intended to be an expression of my professional opinion as a Texas Licensed Professional Engineer, based upon knowledge, information, and belief. The statement(s) of professional opinion are not and shall not be interpreted or construed to be a guarantee or a1 warranty of the analysis herein.

Richard D. Varnell, P.E. — Printed Name of Professional Engineer

135525 — Texas License Number

Firm #3775

Signature of Professional Engineer

7/6/2023
Date

Signature of Operator/Responsible Party

11/29/2023
Date

[1] *Complying with the Edwards Aquifer Rules, Technical Guidance on Best Management Practices, RG-348,* TCEQ, revised July 2005.

ATTACHMENT O
PILOT-SCALE FIELD TESTING PLAN

NOT INCLUDED –
NO PILOT-SCALE FIELD TESTING PLAN PROPOSED FOR SITE

ATTACHMENT P
MEASURES FOR MINIMIZING SURFACE STREAM CONTAMINATION

NOT INCLUDED –
NOT REQUIRED FOR THIS SITE

ATTACHMENT Q
PROPOSED CONSTRUCTION SWPPP

Part I.

Storm Water Pollution Prevention Plan (SWPPP)

Camp Bullis Military Service Station

4600 Camp Bullis Road, San Antonio, TX 78257

Prepared by: TRC Environmental Corporation

July 2023

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Part II. Project Description

This Storm Water Pollution Prevention Plan (SWPPP) establishes a plan to manage the quality of storm water runoff from construction activities associated with a TRC Government Services project to construct a Military Service Station (MSS) within the Camp Bullis Military Training Reservation (Camp Bullis) in San Antonio, Bexar County, Texas. Camp Bullis is owned by the United States Department of Defense (DOD), which will retain ownership of the Site. TRC Government Services will build and operate the MSS while leasing the Site from the DOD. The MSS will provide 24/7 gasoline and ultra-low sulfur diesel to government-only customers through a unique QR-code authorization system and will also issue bulk ultra-low sulfur diesel to field-bound tanker trucks (typically with a 2,500-gallon capacity).

This project involves the construction of a service station complete with a building, concrete pavement, covered fuel dispenser area, and an uncovered area containing 3 aboveground storage tanks (ASTs) in a concrete containment structure. Total soil disturbance including incidental soil disturbance is estimated at approximately 4 acres; therefore, this project will be permitted as a "small" construction project (<5 acres). This SWPPP only covers construction activities associated with this project. This document comprises the SWPPP required by the Texas Pollutant Discharge Elimination System (TPDES) General Permit Relating to Stormwater Discharges from Construction Activities (General Permit). A copy of the General Permit can be found in Appendix A.

A. Project Description and Permittee Information

1.0 Project Name and Location

Project Name: Camp Bullis MSS

Project Description: Construction of a service station with fuel stored in ASTs.

Location: The Site is located on the southeast side of the intersection of Camp Bullis Road and Lewis Valley Road in San Antonio, Texas.

Addresses/Coordinates:

Approximate Site Address: 4600 Camp Bullis Road, San Antonio, TX 78257

- Latitude: 29.644557, Longitude: -98.575186

2.0 Operator (Permittee) Information

TPDES General Permit No. TXR150000 (revised March 5, 2023), page 9, defines the operator authorized under this general permit as the permittee. The definition of the operator is "The person or persons associated with a large or small construction activity that is either a primary or secondary operator as defined below:

> Primary Operator-the person or person associated with a large or small construction activity that meets either of the following two criteria:

a) the person or person(s) have on-site operational control over construction plans and specifications including the ability to make modifications to those plans and specifications; or
b) the person or person(s) have day-to-day operational control of those activities at a construction site that are necessary to ensure compliance with a SWPPP for the site or other permit conditions (for example, they are authorized to direct workers at a site to carry out activities required by the SWPPP or comply with other permit conditions).

Secondary Operator-The person or entity, often the property owner, whose operational control is limited to:

a) the employment of other operators, such as the general contractor, to perform or supervise construction activities; or
b) the ability to approve or disapprove changes to plans and specifications, but who does not have day-to-day operational control over construction activities at the site.

During this project, TRC Government Services will have on-site operational control over construction plans but will hire a Contractor to perform the construction activities. TRC's Contractor will be the primary operator, and TRC Government Services will be a secondary operator for all activities performed by the Contractor.

TRC Government Services has the following permit responsibilities:

- Development of SWPPP (including selecting controls).
- Signing and certifying a Notice of Intent (NOI) to TCEQ.
- Posting Small Construction Site Notice.
- Installation and maintenance of erosion and sediment controls.
- Storm water inspections.
- Identifying the need for maintenance or the addition of erosion and sediment controls based on site conditions.
- Maintenance of SWPPP.
- Revegetation of the Site.
- Removal of controls (after final stabilization has been reached).
- Removal of Small Construction Site Notice after final stabilization.
- Submission of Notice of Termination (NOT) to TCEQ.

Contractor has the following permit responsibilities because the Contractor has day-to-day operational control over activities at a construction site that are necessary to ensure compliance with a SWPPP for the site or other permit conditions.

- Signing, certifying, and submittal of a NOI to TCEQ.
- Notifying the MS4 that construction will commence (if required).
- Posting Small Construction Site Notice.
- Reviewing, signing, and implementing the shared SWPPP.
- Installation and maintenance of erosion and sediment controls.

- Identifying the need for maintenance or the addition of erosion and sediment controls based on site conditions.
- Revegetation of the Site.
- Removal of controls (after final stabilization has been reached).
- Removal of Small Construction Site Notice after final stabilization.
- Notifying the MS4 that construction is complete (if required).
- Submission of NOT to TCEQ.

3.0 Location and Outline of SWPPP

This SWPPP has been completed and will be implemented prior to construction. The SWPPP will be maintained on-site in the construction trailer.

The criteria provided in this SWPPP are consistent with federal, state, and local requirements. This SWPPP will be updated to remain consistent with changes in sediment and erosion site plans and site permit by state or local officials, when given written notice.

B. Description of Construction Activity, Potential Pollutants, and their Sources

The project will involve the construction of a MSS on raw, undeveloped land (Figure 1). The area released for construction by the US DOD will be 4.89 acres, but the leased area (once the MSS is constructed) will be 3.02 acres. The site is currently grass covered (ie, not wooded), and slopes from north to south. In the area surface drainage flows to the south/southeast toward Salado Creek.

Once constructed, the MSS will operate as a fleet fueling facility. It will only be used for fueling government vehicles with government-owned fuel. It will not take cash and will not be open to the public. The facility will not repair vehicles or operate as a “Motor Pool”. There are also no vehicle washing accommodations.

Gasoline and ultra low sulfur diesel will be stored in three double-walled 12,000-gallon aboveground storage tanks (ASTs) with interstitial fluid alarms. The three ASTs will be placed inside of a concrete containment structure capable of storing more than 150% of the aggregate total of fuel that the tank system is capable of holding. Piping will either be above ground (above the AST containment structure) or double walled where it passes underground between the piping sump and the dispenser islands.

Figure 2 provides the Erosion Control Plan that will be utilized during the facility construction. Figure 3 provides the drainage pathways from the site to Salado Creek. Figure 4 provides the final design and the location of the permanent stormwater controls and best management practices (BMPs).

1.0 Description of Construction Activity and Schedule of Major Activities

Construction of the facility will include the following:

1) Site preparation, including installation of upgradient and downgradient fiber rolls (shown on Figure 2), a concrete washout area in accordance with requirements provided in regulatory guidance document RG-348, *Complying with the Edwards Aquifer Rules: Technical Guidance on Best Management Practices*, and a construction trailer.
2) Clearing and grubbing.
3) Pavement, foundation, and secondary containment structure construction.
4) Construction of upgradient, concrete berm to redirect stormwater flow from upgradient sources to either Camp Bullis Road or to the southeast, toward the grassed, undeveloped portion of the site.
5) Installation of dispenser island canopy and site building.
6) Installation of AST system.
7) Installation of wet vault detention vaults that will receive stormwater flow from the paved areas of the site and from the AST containment structure.
8) Utility connections.
9) Site cleanup and stabilization, including installation of two permanent vegetative strips that will receive flow from the two wet vaults.

If the construction scope changes, this SWPPP will be updated with new information. See Section II and Site Maps for a complete description and locations of the erosion controls and stabilization measures.

2.0 Description of Potential Pollutants and Sources.

See *Part II for best management practices to prevent pollution in storm water runoff.*

The primary pollutant anticipated for this project is suspended sediment in storm water runoff from areas of disturbed soil. The sources of disturbed soil include:

- Excavating, clearing, and grubbing for utility connections, concrete pavement construction, and to achieve final site elevations;
- Stockpiling excavated materials; and
- Vehicular traffic around transmission structures and in ROW causing damage to vegetation, rutting, and soil compaction.

Other potential pollutants include:

- Waste materials (i.e. construction debris and trash);
- Vehicle fluids (e.g., gasoline, oil, transmission fluid, grease, hydraulic fluid, antifreeze); and
- Concrete washout from concrete trucks at a designated location inside the project area.

C. Maps

Map Description	Location
General site location	Figure 1
Drainage patterns and approximate slopes anticipated after major grading activities	Figures 2 and 3.
Areas where soil disturbance will occur	Figure 2.
Locations of all controls and buffers, either planned or in place	Figure 2.
Locations where temporary or permanent stabilization practices are expected to be used	Figures 2 (temporary) and 4 (permanent).
Locations of construction support activities	Figure 2.
Surface waters (including wetlands) either adjacent or in close proximity and also if those are impaired	Figure 4.
Locations where storm water discharges from the site directly to a surface water	N/A
Vehicle wash areas	N/A (vehicles are not allowed to wash at the project site)
Designated points on site where vehicles will enter or exit..	Figure 2.

D. Asphalt or Concrete Plants Used to Aid in Project

No on-site asphalt or concrete plants will be used during this project.

E. Receiving Water Bodies

As shown on Figure 3 (and as verified from the 1992 *Camp Bullis, Texas USGS Topographic Map*), the storm water runoff from this project will flow to the south/southeast, toward Salado Creek. The Construction General Permit (CGP) does not permit new discharges of constituents of concern (also called Parameters of Concern) to impaired waters that are listed on the EPA approved Clean Water Section 303(d) list. The classified stream segment that will receive storm water from this construction site is 1910F, Upper Salado Creek. Segment 1910F is not impaired per the 2022 EPA-approved Clean Water Act § 303(d) list of impaired waters.

1910F – Upper Salado Creek: From the confluence of Beitel Creek upstream to the headwater approximately 1.5 miles upstream of FM 3351 near Fair Oaks Ranch in Bexar County.

Upper Salado Creek drains to Lower Salado Creek (Segment 1910), which is impaired as described below. The distance in overland miles from the site to Lower Salado Creek is approximately 13 miles. However, it does not appear that the potential pollutants from the site will contribute to the impairment, as there are no biological sources of pollutants from this

site, and none of the potential Parameters of Concern are expected to reduce dissolved oxygen concentrations.

1910 – Lower Salado Creek: From the confluence with the San Antonio River in Bexar County to the confluence of Beitel Creek (Rocking Horse Lane west of Camp Bullis) in Bexar County.

Impairment Description(s)	*Category*
Bacteria (Recreation Use)	**4a**
Impaired Fish Community	**5c**
Impaired Macrobenthic Community	**5c**

Categories:

Category	Subcategory	Description
4	4a	A state-developed TMDL has been approved by EPA or a TMDL has been established by EPA for any water-pollutant combination.
	4b	Other required control measures are expected to result in the attainment of an applicable water quality standard in a reasonable period of time.
	4c	The impairment or threat is not caused by a pollutant.
5	5a	A TMDL is underway, scheduled, or will be scheduled.
	5b	A review of the standards for the water body will be conducted before a management strategy is selected.
	5c	Additional data and information will be collected or evaluated before a management strategy is selected.
	5d	Water body does not meet its applicable Chl a criterion, but additional study is needed to verify whether exceedance is associated with causal nutrient parameters or impacts to response variables.

Discharges of the pollutants of concern to impaired water bodies for which there is a Total Maximum Daily Load (TMDL) are not eligible for this permit unless they are consistent with the approved TMDL. Permittees must incorporate the conditions and requirements applicable to their discharges into their SWPPP, in order to be eligible for coverage under this permit. For consistency with the construction stormwater-related items in an approved TMDL, the SWPPP must be consistent with any applicable condition, goal, or requirement in the TMDL, TMDL Implementation Plan (I-Plan) or as otherwise directed by the TCEQ Executive Director.

Part III. Best Management Practices

Best Management Practices (BMPs) are used to minimize pollution in runoff. Best management practices are defined as schedules of activities, prohibitions of practices, maintenance procedures, structural controls, local ordinances, and other management practices to prevent or reduce the discharge of pollutants. BMPs also include treatment requirements, operating procedures, and practices to control construction site runoff, spills, or leaks, waste disposal, or drainage from raw material storage areas. Examples of management practices are: limiting soil disturbance, sweeping up tracked soils, and preserving vegetation during construction. Erosion and sediment controls must be designed to retain sediment on-site to the extent practicable with consideration for local topography, soil type, and rainfall.

A. Erosion and Sediment Controls

Examples of erosion controls include establishment of temporary or permanent vegetation, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of existing trees and vegetation, slope texturing, temporary velocity dissipation devices, flow diversion mechanisms, and other similar measures. Sediment control practices are used to divert flows away from exposed soils, to limit the contact of runoff with disturbed areas, or to lessen the off-site transport of eroded soils. Examples of sediment controls are silt fence, mulch berms, sediment logs/berms, rock berms, gabion mattresses or baskets, sediment traps, and sediment basins.

The Construction General Permit has the following requirements regarding erosion and sediment controls. The operator must design, install, and maintain effective erosion controls and sediment controls to minimize the discharge of pollutants. At a minimum, such controls must be designed, installed, and maintained to:

(a) Control stormwater volume and velocity within the site to minimize soil erosion;
(b) If any stormwater flow will be channelized at the site, stormwater controls must be designed to control both peak flowrates and total stormwater volume to minimize erosion at outlets and to minimize downstream channel and streambank erosion;
(c) Minimize the amount of soil exposed during construction activity;
(d) Minimize the disturbance of steep slopes;
(e) Minimize sediment discharges from the site. The design, installation, and maintenance of erosion and sediment controls must address factors such as the amount, frequency, intensity and duration of precipitation, the nature of resulting stormwater runoff, and soil characteristics, including the range of soil particle sizes expected to be present on the site;
(f) If earth disturbance activities are located in close proximity to a surface water, provide and maintain appropriate natural buffers if feasible and as necessary, around surface waters, depending on site-specific topography, sensitivity, and proximity to water bodies. Direct stormwater to vegetated areas to increase sediment removal and maximize stormwater infiltration. If providing buffers is infeasible, the permittee shall document the reason that natural buffers are not feasible, and shall implement additional erosion and sediment controls to reduce sediment load;
(g) Preserve native topsoil at the site, unless infeasible; and

(h) Minimize soil compaction in post-construction pervious areas. In areas of the construction site where final vegetative stabilization will occur or where infiltration practices will be installed, either:
    a. restrict vehicle and equipment use to avoid soil compaction; or (2) prior to seeding or planting areas of exposed soil that have been compacted, use techniques that condition the soils to support vegetative growth, if necessary and feasible;
    b. TCEQ does not consider stormwater control features (e.g., stormwater conveyance channels, storm drain inlets, sediment basins) to constitute "surface waters" for the purposes of triggering the buffer requirement in Part III.G.(f) above.

An aboveground storage tank (AST) system consisting of three, 12,000-gallon double walled, steel ASTs in a concrete containment structure will be constructed on the subject property. Gasoline and diesel fuel will be stored in the ASTs and distributed to government vehicles via a canopied area with fuel dispensers as shown in the attached plans.

Clean stormwater runoff will be directed into either a drain box or in the case of the top of the canopy, piped under all concrete to the facility edge. Where the water will be directed through rock dissipators and allowed to move across the grassland for infiltration. A berm will be constructed on the uphill side of the facility. The berm will run the length of the facility pavement and will prevent potential run-on water from draining onto the facility pavement. Instead, the berm will redirect the flow either to Camp Bullis Road or to the southeast, toward the grassed, undeveloped portion of the Site.

There will be two 6" drain outlets discharging into two Wet Vault Detention Vaults. The basins contain a commercial oil stop valve that will allow clean water to discharge out to the environment onto grass filter strips. Any oil or fuel floating on top will cause a float to shut off the outflow, trapping the fuel in the vault. The fuel will remain contained until the vault can be cleaned by our Operators, who will perform regular visual inspections.

Upgradient stormwater will drain onto the subject property via sheet flow from the area to the north-northeast of the Site. Once on-site, upgradient stormwater will drain across the site .

B. Construction BMPs

Structural practices are used to divert flows away from exposed soils, to limit the contact of runoff with disturbed areas, or to lessen the off-site transport of eroded soils. The transmission line project will not disturb more than 10 acres in a common drainage. Preservation of vegetation, sediment logs, silt fence and mulch will be used to control solids in storm water runoff for drainage locations less than 10 acres, and these are described in Part II, Section 1, Erosion and Sediment Control.

Temporary BMPs that will be implemented during construction include the following:

1. Fiber rolls will be installed in accordance with requirements provided in RG-348 will be installed on the north (upgradient) and south (downgradient) sides of the construction site to reduce or slow overland stormwater flow onto the site.

2. A concrete washout area in accordance with requirements provided in RG-348 will be built and used during site construction. As shown on the attached plans, the concrete washout area will be protected from upgradient stormwater. At the conclusion of construction, the concrete will be removed and the area will be seeded or hydromulched with a climate appropriate grass species.
3. The installed temporary BMPs will be inspected at least once per week.

C. Stabilization Practices

Stabilization is a condition where soils or disturbed areas are provided a protective cover or related form of protection, which reduces or eliminates the potential for erosion. Temporary stabilization is used until final stabilization can be reached or until further construction can resume. Final stabilization is required before the project site can be released from the General Permit. Final stabilization is reached when all soil disturbing activities have been completed and a uniform (evenly distributed, without large bare areas) perennial vegetative cover with a density of 70% of the native background vegetation has been established.

Stabilization practices include, but are not limited to: establishment of temporary vegetation, establishment of permanent vegetation, mulching, placement of geotextiles, sod stabilization, protection of existing trees and vegetation, and other similar practices. Equivalent permanent stabilization measures include the use of riprap, gabions, or geotextiles.

The TCEQ Construction General Permit requires that stabilization of disturbed areas must, at a minimum, be initiated immediately whenever any clearing, grading, excavating, or other earth disturbing activities have permanently ceased on any portion of the site, or temporarily ceased on any portion of the site and will not resume for a period exceeding 14 calendar days. In the context of this requirement, “immediately” means as soon as practicable, but no later than the end of the next workday, following the day when the earth disturbing activities have temporarily or permanently ceased. Temporary stabilization must be completed no more than 14 calendar days after initiation of soil stabilization measures, and final stabilization must be achieved prior to termination of permit coverage. In arid, semi-arid, and drought-stricken areas where initiating vegetative stabilization measures immediately is infeasible, alternative nonvegetative stabilization measures must be employed as soon as practicable. Refer to Part III.F.2.(b) of the TCEQ Construction General Permit for complete erosion control and stabilization practice requirements.

Temporary seeding is not planned because the construction activities that will significantly disturb soil are not expected to cease until the project is complete. Permanent stabilization measures (such as seeding) will be implemented in areas where vegetation and soil has been disturbed. Outside of the areas where the vegetative filter strips are planned, if there is light soil disturbance and sufficient vegetation, the area will be allowed to revegetate naturally. The vegetative filter strips will be overseeded regardless of their level of disturbance.

Inspections will occur until the site reaches “final stabilization”. If the site can achieve “temporary stabilization”, then inspections may continue on a monthly basis as defined in General Permit, Part III, Section F.8.(a).

Required Reporting: The General Permit requires that the following records be maintained and attached to this SWPPP:

- Dates of major grading activities; Dates when construction activities temporarily or permanently cease on a portion of the site; and,
- Dates when stabilization measures are initiated.

See Appendix B for templates that can be used for reporting.

D. Permanent Storm Water Controls

Permanent storm water controls are measures installed during the project to control pollutants in storm water discharges that will occur after construction operations have been completed. Once the facility is complete the permanent BMP(s) will include the following:

1) All three of the 12,000-gallon ASTs will be double-walled tanks with interstitial fluid alarms which will alert the facility operators in the event that there has been a fuel release from the inner tank. The double wall will serve as primary secondary containment for the fuel stored inside.

2) All three ASTs will be located inside a concrete basin capable of impounding 150% of the total possible stored fuels. An aggregate total of 36,000 gallons of gasoline and diesel will be stored in the ASTs, so 150% of the total possible stored fuels equals 54,000 gallons. The basin will be a nominal 54-feet wide x 74-feet long x 2-feet high with an overall containment capacity of 59,784 gallons and an actual containment capacity (total containment minus displacement by AST supports and other equipment) of 54,948 gallons. The concrete containment structure will serve as an ancillary form of secondary containment for the fuel in the ASTs. In the event of a tank release, vacuum trucks will be called in to remove and dispose of the fuel from the containment.

3) The basin will drain to a concrete sump equipped with a valve that will remain locked and closed during normal business operations. In the event that stormwater with no sheen is observed in the containment by an operator, the valve will be unlocked and opened and the stormwater drained via gravity flow to a wet vault constructed of concrete.

    a. The wet vault is equipped with an oil-stop valve. The oil stop valve will contain any minor fuel releases in the basin wet vault. In the event that fuel is observed in the wet vault, a vacuum truck will be called in to remove and dispose of the fuel.

    b. The wet vault will serve as a settling basin and will retain grit and solids that drop out of solution, thus reducing the total suspended solids (TSS) content of the water. Grit and other solids will be removed from the wet vault on an as needed basis.

    c. As shown on the plans provided with this application, the basin wet vault will drain to a riprap-improved outfall and, from there, will drain as sheet flow across a

vegetative filter strip located in the grassed and undeveloped portion of the property.

d. As documented in RG-348, a wet vault and the vegetative filter strip are capable of reducing the TSS load of stormwater runoff by a value greater than 80%.

4) The fuel dispensers will be covered with a canopy to protect them from direct contact with stormwater. The fuel dispensers are equipped with automatic shutoff valves in the event of a fuel release from a dispenser. In addition, fuel released in the dispenser area will be directed via graded pavement to a curb drain that empties to a second wet vault. This wet vault will receive drainage from the entire paved portion of the facility (outside of the concrete AST containment basin described above). This wet vault will be identical to the wet vault described above. It will function as a settling basin, as a secondary containment structure for minor fuel releases, and will drain to a riprap-improved outfall and, from there, to a vegetative filter strip.

5) An emergency generator (with an integrated, double walled 50-gallon diesel tank) and a pad-mounted power transformer will be located on-site. As neither of these units contains greater than 500 gallons of oil, additional secondary containment is not planned for either unit. However, both will be inspected in accordance with the Spill Prevention, Control, and Countermeasures (SPCC) Plan that will be created for the site. Active measures will be utilized to contain any release from either unit.

6) In the event of any spill, vacuum trucks will be called in to remove the fuel and dispose of it properly.

7) During AST refueling operations active measures, including an on-site attendant, spill control equipment, and fuel delivery procedures.

E. Other Controls

1.0 Off-site Tracking of Sediments and Control of Dust:

Two paved driveways providing access to the site from Camp Bullis road are already present at the site. Construction crews will also sweep the street as needed. The generation of dust is not anticipated due to the site conditions. However, if dust generation becomes an issue, water trucks may be used to spray down areas generating dust.

2.0 Pollutants Sources from Areas Other than Construction (including storm water discharges from dedicated asphalt plants and dedicated concrete plants):

No pollution sources from areas other than construction or from support facilities are anticipated on this project. Consequently, there are no monitoring or reporting requirements related to asphalt or concrete batch plants for this project.

3.0 Construction and/or Waste Materials Stored On-site or Off-site:

Construction material stored on-site may include building materials and associated equipment. These construction materials are not expected to produce pollutants that will impact storm water discharges. Other materials stored on-site may include rip rap, stockpiled soils, construction equipment and personal vehicles of workers. Wastes (i.e., trash and construction debris) will be collected and stored in a container with a secure lid. The container must meet state and local city solid waste management regulations. The container will be emptied as necessary or as required by local regulations, and the trash will be hauled to a local landfill. No construction waste material will be buried on-site. Portable toilets will be located such that they are easily accessible by service trucks. During servicing, connections will be closely monitored, and any releases will be cleaned up immediately.

4.0 Work Practices:

Stockpiles shall be constructed in a manner that will minimize and control the amount of sediment that may enter receiving waters. There will be no disposal areas or haul roads located on-site.

5.0 Hazardous Waste, Including Spill Reporting:

No hazardous wastes will be used on-site. Regularly scheduled inspections, evaluations, and testing of bulk oil storage containers by personnel are critical parts of discharge prevention. Frequent external visual inspections will be completed on a regular basis by trained facility personnel.

Qualified personnel should:

- Test or inspect each container for integrity on a regular schedule and whenever material repairs are made.
- Frequently inspect the outside of the container for signs of deterioration, discharges, or accumulation of oil inside diked areas.
- Inspect the container's supports and foundations, as well as record keeping of inspections and tests performed.
- Spills of regulated of substances in the Edwards Aquifer Recharge Zone or Contributing Zone within 5 miles of the recharge zone having the potential to pollute the Aquifer and hydrologically-connected surface streams are to be reported to the Edwards Aquifer Authority within 72 hours (EAA Rules 713.400-409). Return completed form to the EAA Environmental Protection Team by: email spill_notice@edwardsaquifer.org; drop off at 900 East Quincy, San Antonio, TX 78215; or fax to (210) 222-9869.

The SWPPP must be modified within 14 days of a release to provide a description of the spill, the circumstances leading to the spill, and the date of the spill. Spill clean-up materials, methods, and additional best management practices addressing spill prevention should also be included.

6.0 Velocity Dissipation Devices:

Velocity dissipation devices are placed at discharge locations along any outfall channels to provide a non-erosive flow velocity from the project site to a water course. For this site wet vaults are proposed that will reduce initial flows and direct them to rock improved outfalls. If field conditions warrant, this SWPPP will be revised to incorporate velocity dissipation devices plans and specifications.

7.0 Concrete Truck Wash Out:

The TCEQ Construction General Permit authorizes the wash out of concrete trucks at a construction site as long as the following requirements are met:

1. Direct discharge of concrete truck wash out water to surface water in the state, including discharge to storm sewers, does not occur.
2. Concrete truck wash out water shall be discharged to areas at the construction site where structural controls have been established to prevent direct discharge to surface waters, or to areas that have a minimal slope that allow infiltration and filtering of wash out water to prevent direct discharge to surface waters. Structural controls may consist of temporary berms, temporary shallow pits, temporary storage tanks with slow rate release, or other reasonable measures to prevent runoff from the construction site.
3. Wash out of concrete trucks during rainfall events shall be minimized. The direct discharge of concrete truck wash out water is prohibited at all times, and the operator shall insure that its BMPs are sufficient to prevent the discharge of concrete truck wash out as the result of rainfall or stormwater runoff.
4. The discharge of wash out water must not cause or contribute to groundwater contamination.

As shown on Figure 2, concrete washout activities will be performed in a specially constructed and maintained area that will be established on-site. Residual concrete from concrete washout will be taken off-site to an appropriate recycling or disposal facility.

8.0 Eligible Non-storm Water Discharges:

The following non-storm water discharges are authorized under this general permit.

Fire-fighting activities	No
Fire hydrant flushings	No
Washing of vehicles, pavement, and external buildings where detergents or soaps are not used and where spills or leaks of toxic or hazardous materials have not occurred, and where to the purpose is to remove mud, dirt, and dust	No
Water used to control dust	No
Potable water sources including water line flushing	No
Air conditioning condensate	No
Uncontaminated ground/spring water	No
Standing Water	No

Lawn Watering and Irrigation Drainage	No

Pollution Prevention Measures for Eligible Non-storm Water Discharges: Rainwater or ground water that seeps into a structure excavation will be pumped out of the area and allowed to drain on a grassy area of the construction site behind a sediment log or other erosion control. If a grassy area is not available, the water must be discharged so it soaks into the ground or is detained before leaving the site. **Water with sediment in it is not allowed to leave the site.** The TCEQ Construction General prohibits discharges from dewatering activities including discharges from trenches and excavations unless managed by appropriate controls.

Vehicles and equipment are not allowed to be washed on the project site. If wheels must be washed before leaving a site during rainy conditions, then appropriate controls must be used to ensure that sediment is not discharged from the site.

Construction materials, building materials, construction wastes, liquids, chemicals, sanitary waste (portable toilets), and other materials on site must managed so that they are not exposed to rainfall or storm water.

The TCEQ Construction General prohibits the following discharges:

(a) Wastewater from wash out of concrete trucks, unless managed by an appropriate control (see discussion above);
(b) Wastewater from wash out and cleanout of stucco, paint, form release oils, curing compounds and other construction materials;
(c) Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance; and
(d) Soaps or solvents used in vehicle and equipment washing.

F. Inspection and Maintenance of Controls

1.0 Inspections:

Storm water inspections will occur according to the schedule listed on the inspection form. Areas to be inspected include the following:

- Disturbed areas of construction that have not been stabilized;
- Areas used for storage of materials that are exposed to precipitation;
- Structural controls;
- Sediment and erosion controls; and,
- Locations where vehicles enter or exit the site.

A TPDES Storm Water Inspection Checklist will be completed for each inspection conducted. The inspection report should include the scope and date of the inspection and major observations related to the implementation of the SWPPP. Major observations should include: the locations of discharges of sediment or other pollutants from the site, locations of BMPs that need to be maintained; locations of BMPs that failed to operate as designed or proved inadequate for a particular location; and locations where additional BMPs are needed. Actions taken as a result of inspections must be described and retained as a part of the SWPPP. The inspection report also identifies instances of non-compliance and a certification of report if no

instances of non-compliance were found. The Inspection Checklist should be signed according to permit signatory requirements (see Part III, Section B for signatory requirements). Completed Inspection Checklists should be maintained with the SWPPP or by other means such that they are readily available for review upon request. The SWPPP must be revised within 7 days of the inspection, as necessary, to reflect any changes to the erosion and sediment controls.

2.0 Maintenance:

All protective measures identified in the SWPPP must be maintained in good and effective operating condition. If it is determined through inspections or other means that BMPs are not operating effectively, the operator shall perform maintenance as necessary to maintain the continued effectiveness of storm water controls, and prior to the next rain event if feasible. If maintenance prior to the next anticipated storm event is impracticable, the reason shall be documented in the SWPPP and maintenance must be scheduled and accomplished as soon as practicable. Erosion and sediment controls that have been intentionally disabled, run-over, removed or otherwise rendered ineffective must be replaced or repaired immediately upon discovery.

If periodic inspections or other information indicates a control has been used incorrectly, is performing inadequately, or is damaged, then the operator shall replace or modify the control as soon as practicable after making the discovery.

Sediment will be removed from sediment logs no later than the time the design capacity has been reduced by 50% (i.e., before the sediment reaches 50% of the above-ground height). If sediment escapes the site, accumulations will be removed prior to the next rain event at a frequency to minimize off-site impacts.

Part IV. Permit Information and Record Keeping

A. Construction General Permit

A copy of the current TPDES Construction General Permit is required as part of the SWPPP and has been in Appendix A.

B. Permit Application Documentation

The following application documents and fees are required for this project under the Construction General Permit. Copies of each of these documents are in Appendix B[1].

1.0 Notice of Intent (NOI):

For each permitted primary operator, the NOI for that operator must be filed before construction begins (if online submittal via TCEQ's STEERS software is used) or must be postmarked at least seven days before construction begins (if paper NOI is used). The NOI is not required to be posted at the site but a copy will be maintained in the SWPPP. This document must be signed in accordance with 30 Texas Administrative Code §305.44(a)(3) (Signatories to Applications). See Appendix B for a copy of the NOI.

2.0 Notice of Termination (NOT):

For each permitted operator, a NOT must be signed within 30 days after final stabilization has been reached or after the responsibilities of the permitted operator listed in this SWPPP have been fulfilled. This document must be signed in accordance with 30 Texas Administrative Code §305.44(a)(3) (Signatories to Applications). See Appendix B for a copy of the NOT.

3.0 Notice of Change (NOC):

An NOC letter is required if the operator becomes aware that it failed to submit any relevant facts, submitted incorrect information in an NOI, or if relevant information changes. The NOC letter must be sent within 14 days of discovery and must be signed according to 30 Texas Administrative Code §305.44(a)(3) (Signatories to Applications). See Appendix B for copies of these letters (if necessary).

4.0 MS4 Notifications:

A copy of the signed NOI will be provided to the San Antonio Water System (SAWS) MS4 Stormwater Permit Program at least two days prior to beginning work activities.

5.0 TCEQ Edwards Aquifer Notification

A large amount of construction activities take place in the Edwards Aquifer Contributing Zone. In the event karst (characterized by the presence of sinkholes, sinking streams, caves, large springs, and highly productive water wells) features are discovered or encountered

[1] Signed versions will be included in final document.

during construction in the Edwards Aquifer Recharge Zone, the TCEQ Regional Office should be notified immediately at (512) 339-2929.

6.0 Shared SWPPP Information:

This SWPPP is a shared SWPPP between TRC Government Services and the Contractor eventually selected to construct the MSS. The name and signature of the prime operator should be added to the Certification Page in Appendix B prior to the start of the project.

7.0 Construction Site Notice:

The Contractor will post their Construction Site Notice at the project site. TRC Government Services will sign and post a Secondary Operator Construction Site Notice.. A copy of the notice should be added to Appendix B**.**

At the completion of the project, when the vegetative cover in disturbed areas reaches a density equivalent to 70% of the undisturbed vegetation density and the site achieves final stabilization, the Construction Site Notice will be removed. A copy of the Construction Site Notice will be included in the SWPPP for Record Retention.

8.0 Fee Information:

For each permitted operator, an application fee of $225 (if using STEERS) must be paid to the TCEQ for each NOI submitted for coverage as a large construction project. An application fee of $325 is required if a paper NOI is submitted.

C. Dates for Major Events, SWPPP Revisions, and Monitoring and Measurements

1.0 Major Events:

The following records must be maintained and either attached to or referenced in the SWPPP. The following records are found in Appendix B.

a) Dates of Major Grading
b) Dates of Construction Activities Ceasing
c) Dates of Stabilization

2.0 Revisions to the SWPPP:

The SWPPP must be revised or updated in the following situations.

a) If there is a change in design, construction, operation, or maintenance that has a significant impact on discharge of pollutants and that has not previously been addressed, or
b) If results of Inspections or investigations indicate the SWPPP is ineffective in eliminating or significantly minimizing pollutants authorized under the General Permit.

Revisions to the SWPPP are found in Appendix B. The Site Maps will be updated throughout the duration of the project to indicate the dates of installation, removal, and changes to the erosion and sediment controls.

3.0 Monitoring and Measuring Project Dates:

This SWPPP will be retained for a minimum of 3 years from the date of the NOT.

D. Inspection Reports

Inspection reports are prepared on a schedule listed in Part II Section F.1.0. These inspection reports must be signed in accordance with the requirements in 30 TAC §305.128 (Signatories to Reports). TRC Environmental Corporation (TRC) will be conducting the routine inspections on behalf of TRC Government Services using their Mobile Data Solutions application. TRC will generate an inspection report and forward to TRC Government Services for review and signature. Copies of the inspection reports may be kept in Appendix C. In addition, the names and qualifications of inspection personnel will be included in Appendix C or summarized on the inspection reports.

Figures

Figure 1 – Site Location Map

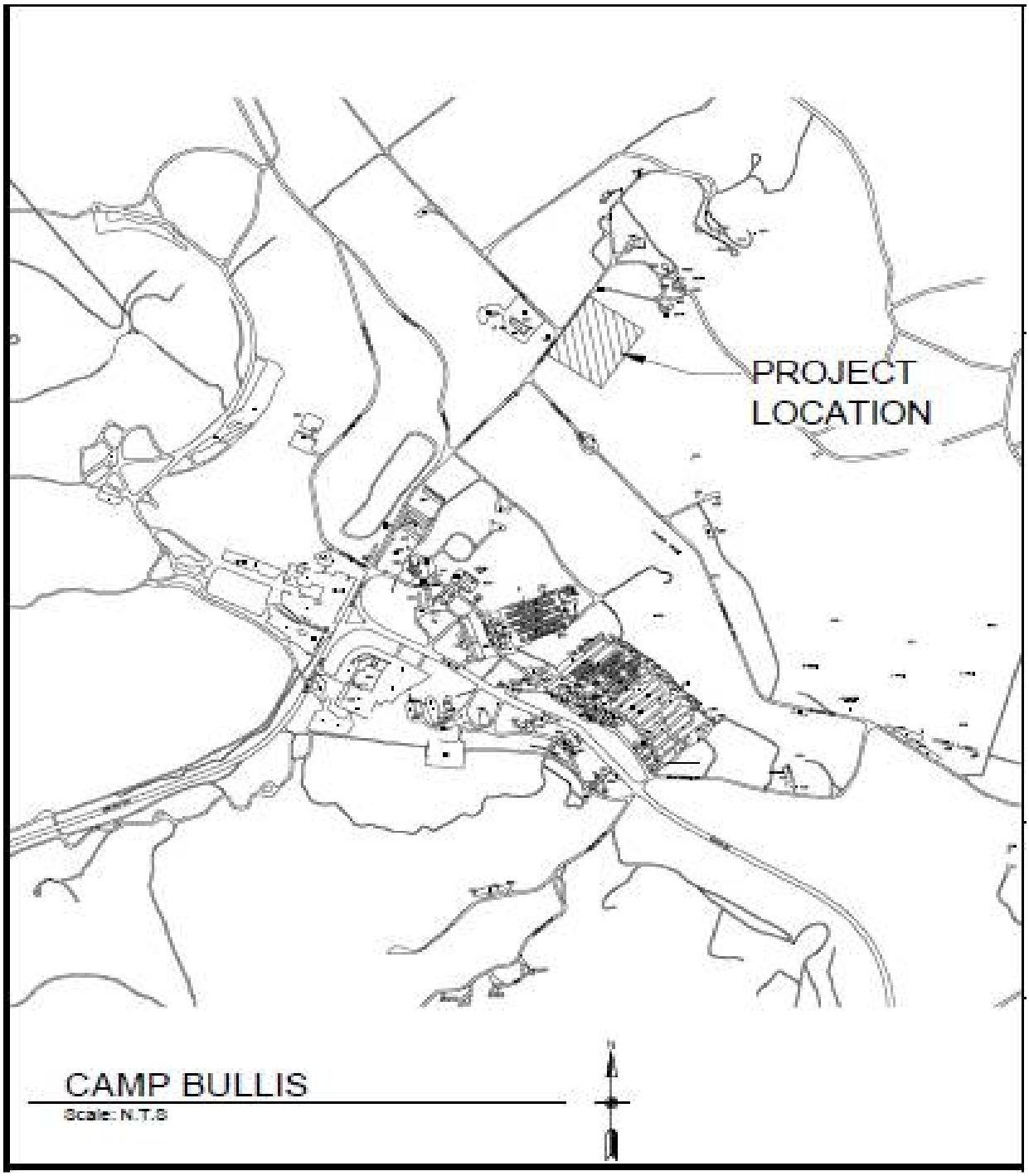
Figure 2 – Erosion Control Plan

Figure 3 – Drainage Pathways

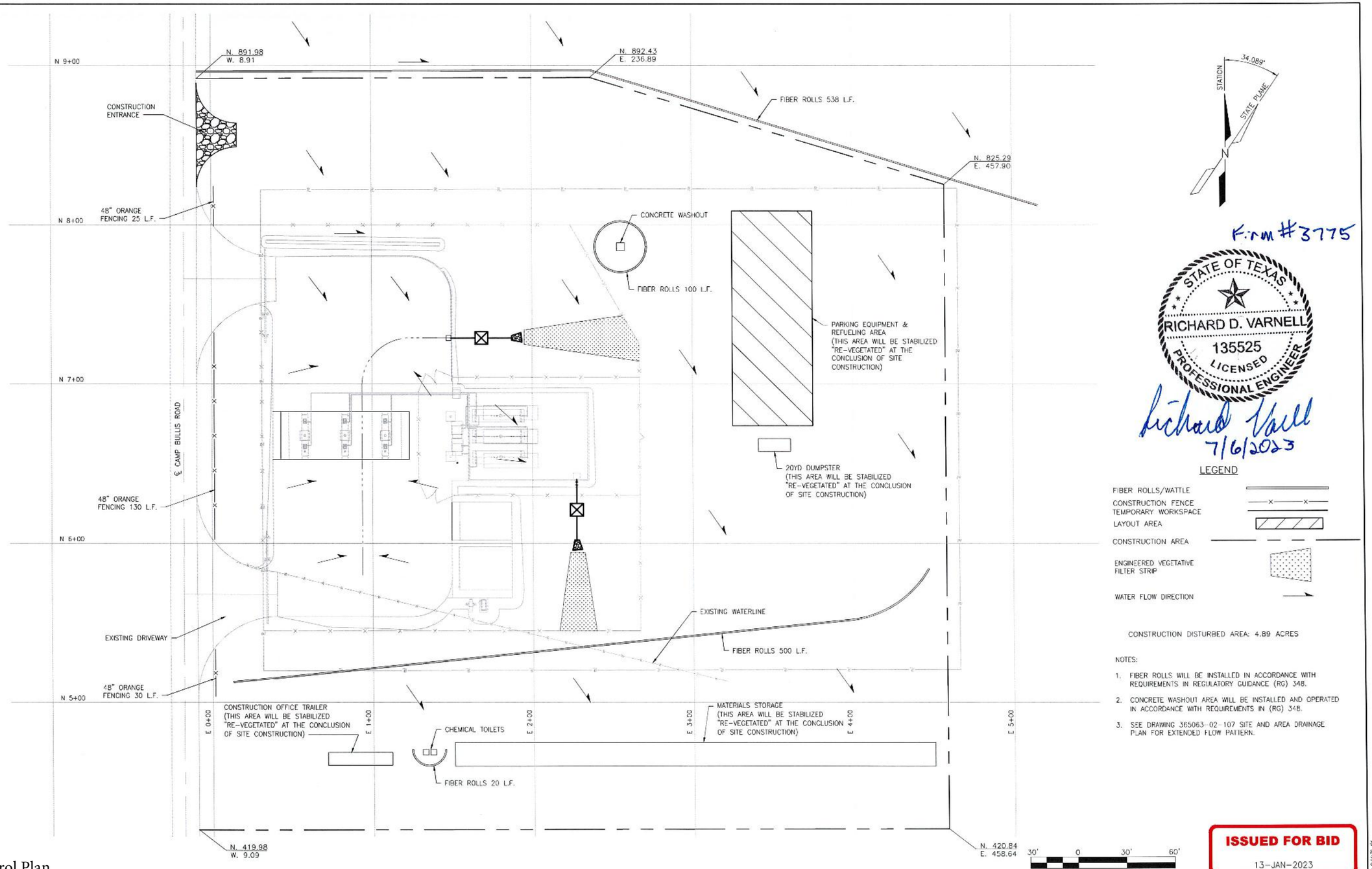
Figure 4 – Final Design and Permanent BMPs

Figure 1 - Site Location Plan

Location of Fuel Facility Construction Site on Camp Bullis



Southeast side of the Intersection of Camp Bullis Road & Lewis Valley Road.
Coordinates: LAT 29.644430 LONG -98.575400



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STATE OF TEXAS
RICHARD D. VARNELL
135525
LICENSED
PROFESSIONAL ENGINEER

Richard Varnell
7/6/2023

LEGEND

- FIBER ROLLS/WATTLE
- CONSTRUCTION FENCE
- TEMPORARY WORKSPACE
- LAYOUT AREA
- CONSTRUCTION AREA
- ENGINEERED VEGETATIVE FILTER STRIP
- WATER FLOW DIRECTION

CONSTRUCTION DISTURBED AREA: 4.89 ACRES

NOTES:

1. FIBER ROLLS WILL BE INSTALLED IN ACCORDANCE WITH REQUIREMENTS IN REGULATORY GUIDANCE (RG) 348.
2. CONCRETE WASHOUT AREA WILL BE INSTALLED AND OPERATED IN ACCORDANCE WITH REQUIREMENTS IN (RG) 348.
3. SEE DRAWING 365063-02-107 SITE AND AREA DRAINAGE PLAN FOR EXTENDED FLOW PATTERN.

ISSUED FOR BID
13-JAN-2023

Figure 2 – Erosion Control Plan

REFERENCE	NUMBER	NO.	DATE	REVISION	BY	CHK	APPR	APPR	APPR
		B	01-13-23	RE-ISSUED FOR BID	CTL	KDE	DGB		RG
		A	11-15-22	ISSUED FOR BID	CTL	KDE	DGB		RG

PREPARED BY: TRC

DRAWING ISSUES

CONSTRUCTION	LAST DRG.			
BIDS	LAST DRG.			
APPROVAL	LAST DRG.			
INFORMATION	LAST DRG.			
ISSUED FOR:		SIGNATURE	DATE	REV.

DRAWING APPROVALS

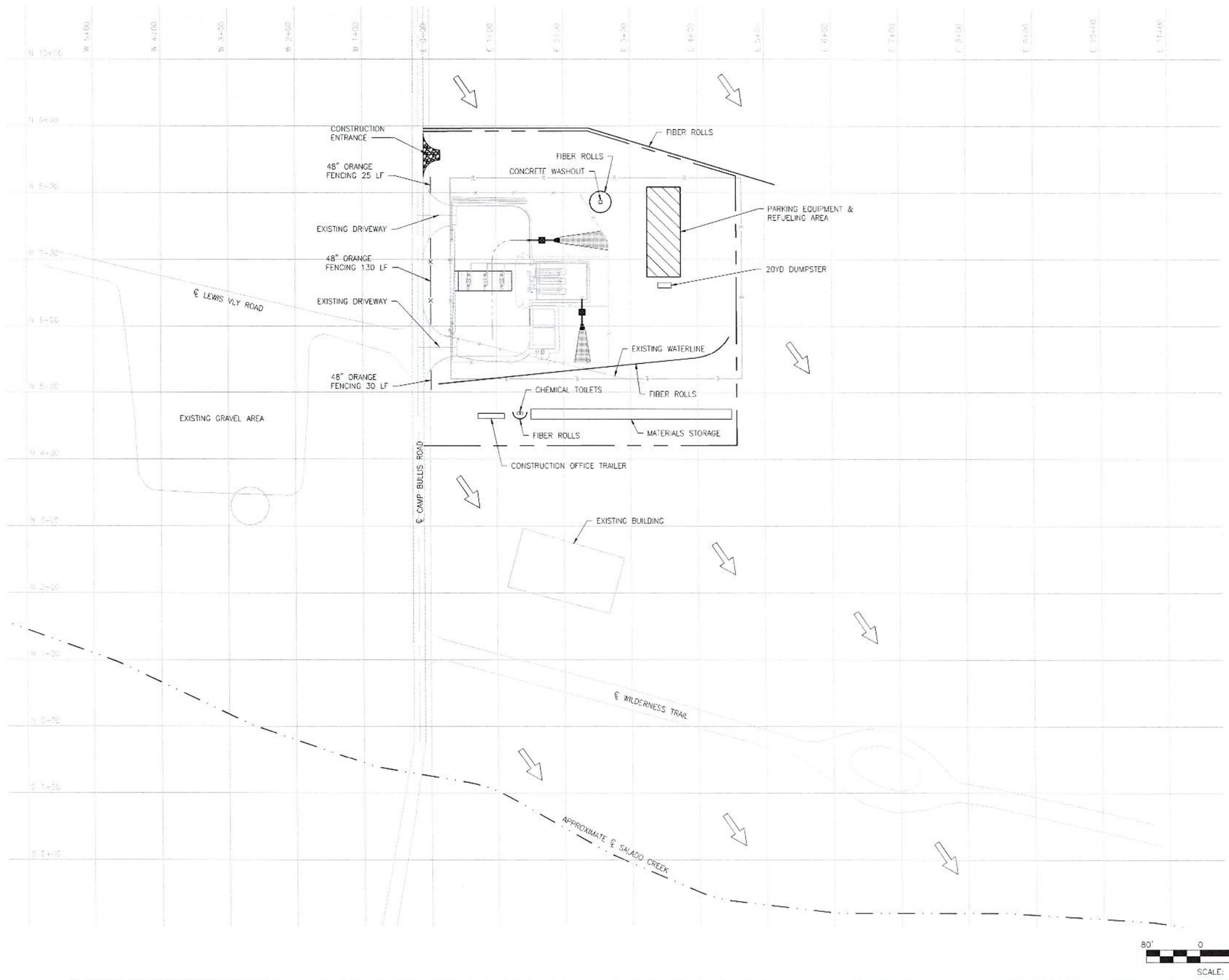
DRAWN:	CTL	DATE: 11-02-22
CHECKED:	KDE	DATE: 01-13-23
ENGINEER:	DGB	DATE: 01-13-23
TRC PM:		DATE:
CLIENT:		DATE:
CLIENT:		DATE:

TRC GOVERNMENT SERVICES

JOINT BASE SAN ANTONIO
EROSION CONTROL PLAN
COCO FUEL OPERATIONS
CAMP BULLIS

SCALE	PROJECT NO.	DRAWING NO.	SHEET	REV.
NOTED	365063	02-02-104	1 OF 1	B

SAVED: 22-May-2023 | 2:41 PM | PRINTED: 24-May-2023 | 9:43:36 AM



STATE OF TEXAS
RICHARD D. VARNELL
135525
LICENSED
PROFESSIONAL ENGINEER

Richard Varnell 7/6/2023

Firm # 3775

LEGEND

- FIBER ROLLS/WATTLE
- CONSTRUCTION FENCE
- TEMPORARY WORKSPACE
- LAYOUT AREA
- CONSTRUCTION AREA
- ENGINEERED VEGETATIVE FILTER STRIP
- APPROXIMATE SHEET FLOW ARROW

NOTES:

1. FIBER ROLLS WILL BE INSTALLED IN ACCORDANCE WITH REQUIREMENTS IN REGULATORY GUIDANCE (RG) 348.
2. CONCRETE WASHOUT AREA WILL BE INSTALLED AND OPERATED IN ACCORDANCE WITH REQUIREMENTS IN (RG) 348.

ISSUED FOR BID
13-JAN-2023

REFERENCE	NUMBER	NO.	DATE	REVISION	BY	CHK	APPR	APPR	APPR
		A	05-22-23	ISSUED FOR REVIEW	CTL	KDE	DGB		RG

PREPARED BY: TRC

DRAWING ISSUES

		ISSUED FOR:	SIGNATURE	DATE	REV.
CONSTRUCTION	LAST				
	ORG				
BIDS	LAST				
	ORG				
APPROVAL	LAST				
	ORG				
INFORMATION	LAST				
	ORG				

DRAWING APPROVALS

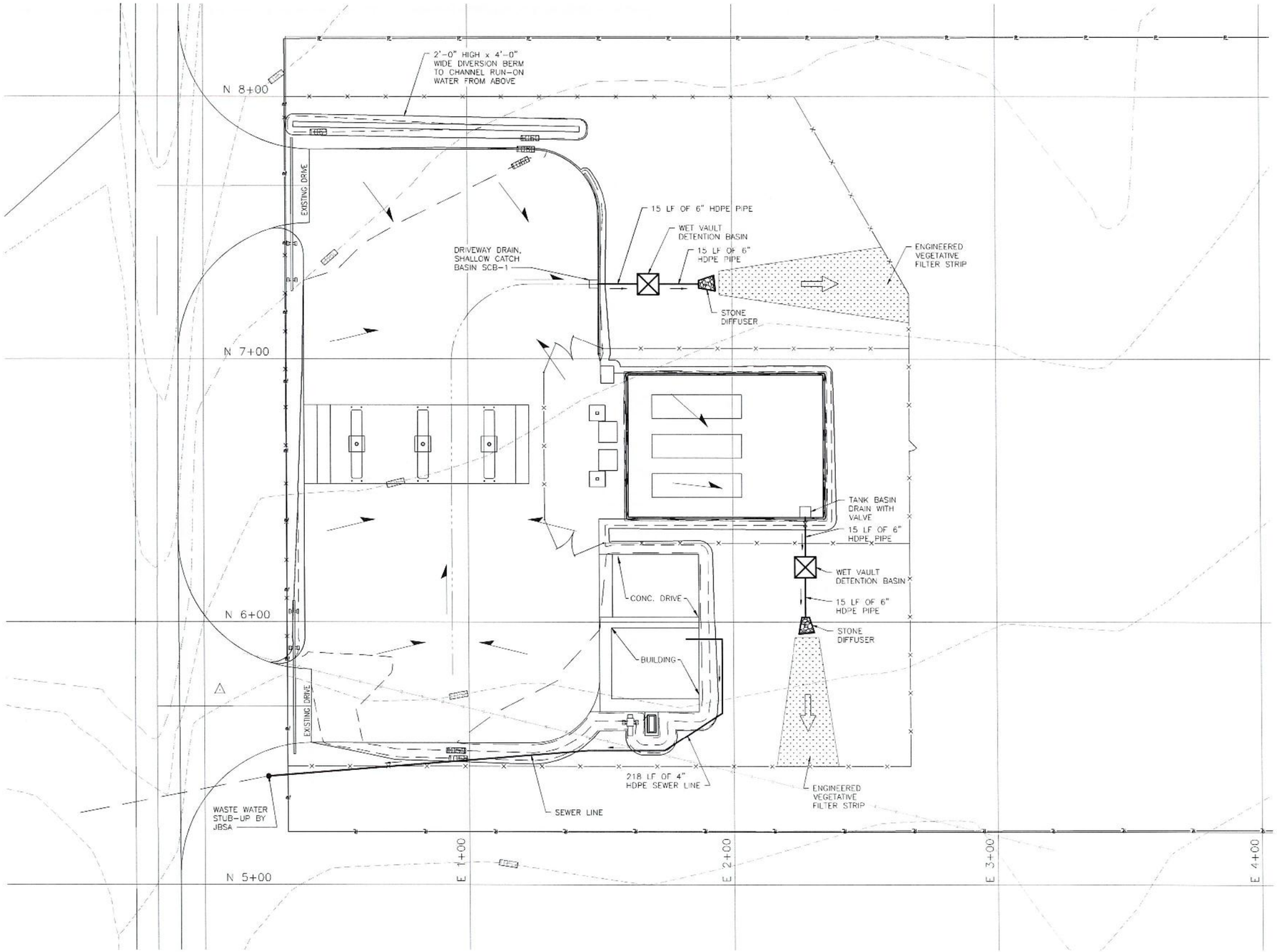
DRAWN:	CTL	DATE: 11-02-22
CHECKED:	KDE	DATE: 01-13-23
ENGINEER:	DGB	DATE: 01-13-23
TRC PM:		DATE:
CLIENT:		DATE:
CLIENT:		DATE:

TRC GOVERNMENT SERVICES

JOINT BASE SAN ANTONIO
SITE AND AREA DRAINAGE PLAN
COCO FUEL OPERATIONS
CAMP BULLIS

SCALE	PROJECT NO.	DRAWING NO.	SHEET	REV.
NOTED	365063	02-02-107	1 OF 1	A

Figure 3 – Drainage Pathways



STATE OF TEXAS
RICHARD D. VARNELL
135525
LICENSED
PROFESSIONAL ENGINEER

Richard Varnell
7/6/2023
Firm # 8725

LEGEND

- STONE DIFFUSER SEE DWG 365063-01-02-105
- WET VAULT DETENTION BASIN, PER CIVIL S.O.W. W/ VALVE
- SURFACE WATER SLOPE INDICATOR
- DIRECTION OF PIPING FLOW
- DRIVEWAY DRAIN, SHALLOW CATCH BASIN SCB-1 W/ VALVE
- ENGINEERED VEGETATIVE FILTER STRIP
- APPROXIMATE SURFACE WATER FLOW DIRECTION

ISSUED FOR BID
13-JAN-2023

REFERENCE	NUMBER	NO.	DATE	REVISION	BY	CHK	APPR	APPR	APPR
		B	01-13-23	RE-ISSUED FOR BID	CTL	KDE	DGB		RG
		A	11-15-22	ISSUED FOR BID	CTL	KDE	DGB		RG

PREPARED BY: TRC

DRAWING ISSUES

CONSTRUCTION	LAST DWG			
BIDS	LAST DWG			
APPROVAL	LAST DWG			
INFORMATION	LAST DWG			

DRAWING APPROVALS

ISSUED FOR:	SIGNATURE	DATE	REV
DRAWN:	CTL	DATE:	11-02-22
CHECKED:	KDE	DATE:	01-13-23
ENGINEER:	DGB	DATE:	01-13-23
TRC PM:		DATE:	
CLIENT:		DATE:	
CLIENT:		DATE:	

TRC GOVERNMENT SERVICES

JOINT BASE SAN ANTONIO
SEWER & OILY WATER DRAINAGE PLAN
COCO FUEL OPERATIONS
CAMP BULLIS

SCALE	PROJECT NO.	DRAWING NO.	SHEET	REV.
NOTED	365063	02-01-004	1 OF 1	B

Figure 4 – Final Design and Permanent BMPs

Appendix A
Construction General Permit

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. TXR150000,
effective March 5, 2018, and amended January 28, 2022

Construction sites that discharge stormwater associated with construction activity located in the state of Texas may discharge to surface water in the state only according to monitoring requirements and other conditions set forth in this general permit, as well as the rules of the Texas Commission on Environmental Quality (TCEQ or Commission), the laws of the State of Texas, and other orders of the Commission of the TCEQ. The issuance of this general permit does not grant to the permittee the right to use private or public property for conveyance of stormwater and certain non-stormwater discharges 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 to acquire property rights as may be necessary to use the discharge route.

This general permit and the authorization contained herein shall expire at midnight, on March 5, 2028.

EFFECTIVE DATE: March 5, 2023

ISSUED DATE: February 27, 2023

For the Commission

TPDES GENERAL PERMIT NUMBER TXR150000

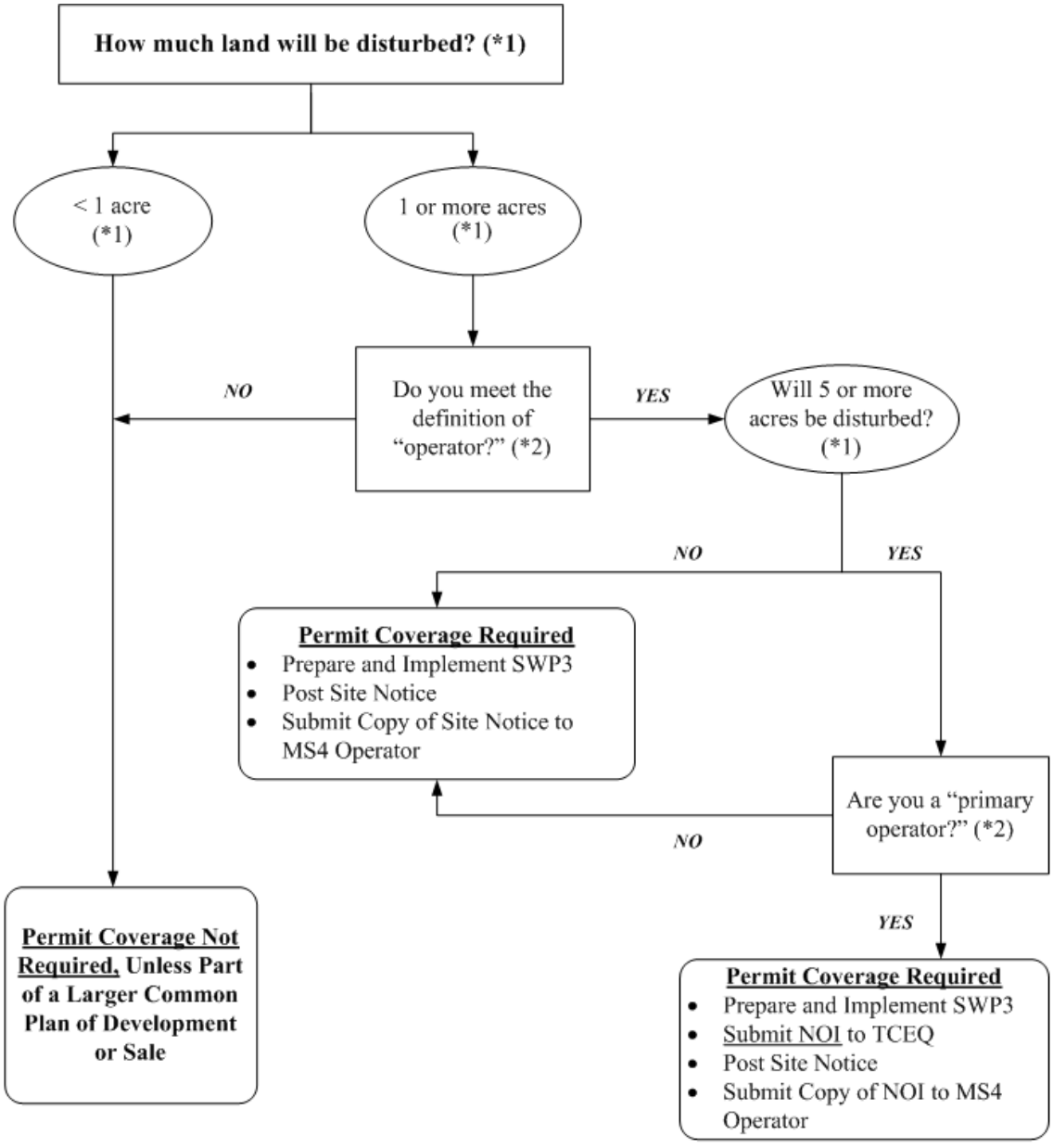
RELATING TO STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITIES

Table of Contents

Part I. Flow Chart and Definitions

Section A. Flow Chart to Determine Whether Coverage is Required

When calculating the acreage of land area disturbed, include the disturbed land-area of all construction and construction support activities.



(*1) ***To determine the size of the construction project, use the size of the entire area to be disturbed, and include the size of the larger common plan of development or sale, if the project is part of a larger project (refer to Part I.B., "Definitions," for an explanation of "common plan of development or sale").***

(*2) ***Refer to the definitions for "operator," "primary operator," and "secondary operator" in Part I., Section B. of this permit.***

Section B. Definitions

Arid Areas – Areas with an average annual rainfall of zero (0) to ten (10) inches.

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

Commencement of Construction – The initial disturbance of soils associated with clearing, grading, or excavation activities, as well as other construction-related activities (e.g., demolition; grubbing; stockpiling of fill material; placement of raw materials at the site).

Common Plan of Development – A construction activity that is completed in separate stages, separate phases, or in combination with other construction activities. A common plan of development (also known as a "common plan of development or sale") is identified by the documentation for the construction project that identifies the scope of the project, and may include plats, blueprints, marketing plans, contracts, building permits, a public notice or hearing, zoning requests, or other similar documentation and activities. A common plan of development does not necessarily include all construction projects within the jurisdiction of a public entity (e.g., a city or university). Construction of roads or buildings in different parts of the jurisdiction would be considered separate "common plans," with only the interconnected parts of a project being considered part of a "common plan" (e.g., a building and its associated parking lot and driveways, airport runway and associated taxiways, a building complex, etc.). Where discrete construction projects occur within a larger common plan of development or sale but are located one quarter (¼) mile or more apart, and the area between the projects is not being disturbed, each individual project can be treated as a separate plan of development or sale, provided that any interconnecting road, pipeline or utility project that is part of the same "common plan" is not included in the area to be disturbed.

Construction Activity – Includes soil disturbance activities, including clearing, grading, excavating, construction-related activity (e.g., stockpiling of fill material, demolition), and construction support activity. This 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 rights-of-way, and similar maintenance activities). Regulated construction activity is defined in terms of small and large construction activity.

Construction Support Activity – A construction-related activity that specifically supports construction activity, which can involve earth disturbance or pollutant-generating activities of its own, and can include, but are not limited to, activities associated with concrete or asphalt batch plants, rock crushers, equipment staging or storage areas, chemical storage areas, material storage areas, material borrow areas, and excavated material disposal areas. Construction support activity must only directly support the construction activity authorized under this general permit.

Dewatering – The act of draining accumulated stormwater or groundwater from building foundations, vaults, trenches, and other similar points of accumulation.

Discharge – For the purposes of this permit, the drainage, release, or disposal of pollutants in stormwater and certain non-stormwater from areas where soil disturbing activities (e.g., clearing, grading, excavation, stockpiling of fill material, and demolition), construction materials or equipment storage or maintenance (e.g., fill piles, borrow area, concrete truck wash out, fueling), or other industrial stormwater directly related to the construction process (e.g., concrete or asphalt batch plants) are located.

Drought-Stricken Area – For the purposes of this permit, an area in which the National Oceanic and Atmospheric Administration's U.S. Seasonal Drought Outlook indicates for the period during which the construction will occur that any of the following conditions are likely: (1) "Drought to persist or intensify", (2) "Drought ongoing, some improvement", (3) "Drought likely to improve, impacts ease", or (4) "Drought development likely". See http://www.cpc.ncep.noaa.gov/products/expert_assessment/seasonal_drought.html.

Edwards Aquifer – As defined under Texas Administrative Code (TAC) § 213.3 of this title (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 Texas Commission on Environmental Quality (TCEQ) and the appropriate regional office. The Edwards Aquifer Map Viewer, located at https://www.tceq.texas.gov/gis/edwards-viewer.html

Edwards Aquifer Contributing Zone – The area or watershed where runoff from precipitation flows downgradient to the recharge zone of the Edwards Aquifer. The contributing zone is located upstream (upgradient) and generally north and northwest of the recharge zone for the following counties: all areas within Kinney County, except the area within the watershed draining to Segment No. 2304 of the Rio Grande Basin; all areas within Uvalde, Medina, Bexar, and Comal Counties; all areas within Hays and Travis Counties, except the area within the watersheds draining to the Colorado River above a point 1.3 miles upstream from Tom Miller Dam, Lake Austin at the confluence of Barrow Brook Cove, Segment No. 1403 of the Colorado River Basin; and all areas within Williamson County, except the area within the watersheds draining to the Lampasas River above the dam at Stillhouse Hollow reservoir, Segment No. 1216 of the Brazos River Basin. The contributing zone is illustrated on the Edwards Aquifer map viewer at https://www.tceq.texas.gov/gis/edwards-viewer.html

Effluent Limitations Guideline (ELG) – Defined in 40 Code of Federal Regulations (CFR) § 122.2 as a regulation published by the Administrator under § 304(b) of the Clean Water Act (CWA) to adopt or revise effluent limitations.

Facility or Activity – For the purpose of this permit, referring to a construction site, the location of construction activity, or a construction support activity that is regulated under this general permit, including all contiguous land and fixtures (for example, ponds and materials stockpiles), structures, or appurtenances used at a construction site or industrial site.

Final Stabilization – A construction site status where any of the following conditions are met:

(a) All soil disturbing activities at the site have been completed and a uniform (that is, evenly distributed, without large bare areas) perennial vegetative cover with a density of at least 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, or gabions) have been employed.

(b) For individual lots in a residential construction site by either:

(1) the homebuilder completing final stabilization as specified in condition (a) above; or

(2) the homebuilder establishing temporary stabilization for an individual lot prior to the time of transfer of the ownership of the home to the buyer and after informing the homeowner of the need for, and benefits of, final stabilization. If temporary stabilization is not feasible, then the homebuilder may fulfill this requirement by retaining perimeter controls or BMPs, and informing the homeowner of the need for removal of temporary controls and the establishment of final stabilization. Fulfillment of this requirement must be documented in the homebuilder's stormwater pollution prevention plan (SWP3).

(c) For construction activities on land used for agricultural purposes (such as pipelines across crop or range land), final stabilization may be accomplished by returning the disturbed land to its preconstruction agricultural use. Areas disturbed that were not previously used for agricultural activities, such as buffer strips immediately adjacent to surface water and areas that are not being returned to their preconstruction agricultural use must meet the final stabilization conditions of condition (a) above.

(d) In arid, semi-arid, and drought-stricken areas only, all soil disturbing activities at the site have been completed and both of the following criteria have been met:

(1) temporary erosion control measures (for example, degradable rolled erosion control product) 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

(2) the temporary erosion control measures are selected, designed, and installed to achieve 70% of the native background vegetative coverage within three years.

High-Level Radioactive Waste – Meaning as assigned by 42 United States Code (U.S.C.) Section 10101 (12) and includes spent nuclear fuel as defined by 42 U.S.C. Section 10101 (23).

Hyperchlorination of Waterlines – 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 – A surface water body that is identified as impaired on the latest approved CWA § 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)*, which lists the category 4 and 5 water bodies.

Indian Country Land – (1) All land within the limits of any Indian reservation under the jurisdiction of the United States government, notwithstanding the issuance of any patent, and, including rights-of-way running through the reservation; (2) all dependent Indian communities with the borders of the United States whether within the originally or subsequently acquired territory thereof, and whether within or without the limits of a state; and (3) all Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same. (40 CFR § 122.2)

Indian Tribe – Any Indian Tribe, band, group, or community recognized by the Secretary of the Interior and exercising governmental authority over a Federal Indian Reservation (40 CFR § 122.2).

Infeasible – Not technologically possible, or not economically practicable and achievable in light of best industry practices. (40 CFR § 450.11(b)).

Large Construction Activity – Construction activities including clearing, grading, and excavating that result 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. Large construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the site (for example, the routine grading of existing dirt roads, asphalt overlays of existing roads, the routine clearing of existing right-of-ways, and similar maintenance activities).

Linear Project – Includes the construction of roads, bridges, conduits, substructures, pipelines, sewer lines, towers, poles, cables, wires, connectors, switching, regulating and transforming equipment and associated ancillary facilities in a long, narrow area.

Low Rainfall Erosivity Waiver (LREW) – A written submission to the executive director from an operator of a construction site that is considered as small construction activity under the permit, which qualifies for a waiver from the requirements for small construction activities, only during the period of time when the calculated rainfall erosivity factor is less than five (5).

Minimize – To reduce or eliminate to the extent achievable using stormwater controls that are technologically available and economically practicable and achievable in light of best industry practices.

Municipal Separate Storm Sewer System (MS4) – A separate storm sewer system owned or operated by the United States, a state, city, town, county, 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 or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, that discharges to surface water in the state.

Notice of Change (NOC) – Written notification to the executive director from a discharger authorized under this permit, providing changes to information that was previously provided to the agency in a notice of intent 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 this general permit requesting termination of coverage.

Operator – The person or persons associated with a large or small construction activity that is either a primary or secondary operator as defined below:

Primary Operator – The person or persons associated with construction activity that meets either of the following two criteria:

(a) the person or persons have on-site operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications; or

(b) the person or persons have day-to-day operational control of those activities at a construction site that are necessary to ensure compliance with a Stormwater Pollution Prevention Plan (SWP3) for the site or other permit conditions (for example, they are authorized to direct workers at a site to carry out activities required by the SWP3 or comply with other permit conditions).

Secondary Operator – The person or entity, often the property owner, whose operational control is limited to:

(a) the employment of other operators, such as a general contractor, to perform or supervise construction activities; or

(b) the ability to approve or disapprove changes to construction plans and specifications, but who does not have day-to-day on-site operational control over construction activities at the site.

Secondary operators must either prepare their own SWP3 or participate in a shared SWP3 that covers the areas of the construction site, where they have control over the construction plans and specifications.

If there is not a primary operator at the construction site, then the secondary operator is defined as the primary operator and must comply with the requirements for primary operators.

Outfall – For the purpose of this permit, a point source at the point where stormwater runoff associated with construction activity discharges to surface water in the state and does not include open conveyances connecting two municipal separate storm sewers, or pipes, tunnels, or other conveyances that connect segments of the same stream or other water of the U.S. and are used to convey waters of the U.S.

Permittee – An operator authorized under this general permit. The authorization may be gained through submission of a notice of intent, by waiver, or by meeting the requirements for automatic coverage to discharge stormwater runoff and certain non-stormwater discharges from construction activity.

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 (40 CFR § 122.2).

Pollutant – 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 surface water in the state. The term "pollutant" does not include tail water or runoff water from irrigation or rainwater runoff from cultivated or uncultivated rangeland, pastureland, and farmland. For the purpose of this permit, the term “pollutant” includes sediment.

Pollution – The alteration of the physical, thermal, chemical, or biological quality of, or the contamination of, any surface water in the state that renders the water harmful, detrimental, or injurious to humans, animal life, vegetation, or property or to public health, safety, or welfare, or impairs the usefulness or the public enjoyment of the water for any lawful or reasonable purpose (Texas Water Code (TWC) § 26.001(14)).

Rainfall Erosivity Factor (R factor) – The total annual erosive potential that is due to climatic effects, and is part of the Revised Universal Soil Loss Equation (RUSLE).

Receiving Water – A "Water of the United States" as defined in 40 CFR § 122.2 or a surface water in the state into which the regulated stormwater discharges.

Semi-arid Areas – Areas with an average annual rainfall of 10 to 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).

Small Construction Activity – Construction activities including clearing, grading, and excavating that result 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. Small construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the site (for example, the routine grading of existing dirt roads, asphalt overlays of existing roads, the routine clearing of existing right-of-ways, and similar maintenance activities).

Steep Slopes – Where a state, Tribe, local government, or industry technical manual (e.g., stormwater BMP manual) has defined what is to be considered a "steep slope", this permit's definition automatically adopts that definition. Where no such definition exists, steep slopes are automatically defined as those that are 15 percent or greater in grade.

Stormwater (or Stormwater Runoff) – Rainfall runoff, snow melt runoff, and surface runoff and drainage.

Stormwater Associated with Construction Activity – Stormwater runoff, as defined above, from a construction activity.

Structural Control (or Practice) – A pollution prevention practice that requires the construction of a device, or the use of a device, to reduce or prevent pollution in stormwater runoff. Structural controls and practices may include but are not limited to: silt fences, earthen dikes, drainage swales, sediment traps, check dams, subsurface drains, storm drain inlet protection, rock outlet protection, reinforced soil retaining systems, gabions, and temporary or permanent sediment basins.

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 non-navigable, 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 which are authorized by state or federal law, regulation, or permit, and which are created for the purpose of waste treatment are not considered to be water in the state.

Temporary Stabilization – A condition where exposed soils or disturbed areas are provided a protective cover or other structural control to prevent the migration of pollutants. Temporary stabilization may include temporary seeding, geotextiles, mulches, and other techniques to reduce or eliminate erosion until either permanent stabilization can be achieved or until further construction activities take place.

Thawing Conditions – For the purposes of this permit, thawing conditions are expected based on the historical likelihood of two (2) or more days with daytime temperatures greater than 32 degrees Fahrenheit (℉). This date can be determined by looking at historical weather data.

NOTE: The estimation of thawing conditions is for planning purposes only. During construction, the permittee will be required to conduct site inspections based upon actual conditions (i.e., if thawing conditions occur sooner than expected, the permittee will be required to conduct inspections at the regular frequency).

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.

Turbidity – A condition of water quality characterized by the presence of suspended solids and/or organic material.

Waters of the United States – Waters of the United States or waters of the U.S. means the term as defined in 40 CFR § 122.2.

Part II. Permit Applicability and Coverage

Section A. Discharges Eligible for Authorization

1. Stormwater Associated with Construction Activity

   Discharges of stormwater runoff and certain non-stormwater discharges from small and large construction activities may be authorized under this general permit, except as described in Part II.C. of this permit.

2. Discharges of Stormwater Associated with Construction Support Activities

   Discharges of stormwater runoff and certain non-stormwater discharges from construction support activities as defined in Part I.B. of this general permit may be authorized, provided that the following conditions are met:

   (a) the construction support activities are located within one (1) mile from the boundary of the construction site where the construction activity authorized under the permit is being conducted that requires the support of these activities;

   (b) an SWP3 is developed and implemented for the permitted construction site according to the provisions in Part III.F. of this general permit, including appropriate controls and measures to reduce erosion and the discharge of pollutants in stormwater runoff according to the provisions in Part IV. of this general permit;

   (c) the activities are directly related to the construction site;

   (d) the activities are not a commercial operation, nor serve other unrelated construction projects; and

   (e) the activities do not continue to operate beyond the completion of the construction activity at the project it supports.

   Construction support activities that operate outside the terms provided in (a) through (e) above must obtain authorization under a separate Texas Pollutant Discharge Elimination System (TPDES) permit, which may include the TPDES Multi-Sector General Permit (MSGP), TXR050000 (related to stormwater discharges associated with industrial activity), an alternative general permit (if available), or an individual water quality permit.

3. Non-Stormwater Discharges

   The following non-stormwater discharges from sites authorized under this general permit are also eligible for authorization under this general permit:

(a) discharges from emergency fire-fighting activities (emergency fire-fighting activities do not include washing of trucks, run-off water from training activities, test water from fire suppression systems, or similar activities);

(b) 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), which include flushings from systems that utilize potable water, surface water, or groundwater that does not contain additional pollutants (uncontaminated fire hydrant flushings do not include systems utilizing reclaimed wastewater as a source water);

(c) water from the routine external washing of vehicles, the external portion of buildings or structures, and pavement, where solvents, detergents, and soaps are not used, where spills or leaks of toxic or hazardous materials have not occurred (unless spilled materials have been removed; and if local state, or federal regulations are applicable, the materials are removed according to those regulations), and where the purpose is to remove mud, dirt, or dust;

(d) uncontaminated water used to control dust;

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

(f) uncontaminated air conditioning condensate;

(g) uncontaminated ground water or spring water, including foundation or footing drains where flows are not contaminated with industrial materials such as solvents; and

(h) lawn watering and similar irrigation drainage.

4. Other Permitted Discharges

Any discharge authorized under a separate National Pollutant Discharge Elimination System (NPDES), TPDES, or TCEQ permit may be combined with discharges authorized by this general permit, provided those discharges comply with the associated permit.

Section B. Concrete Truck Wash Out

The wash out of concrete trucks at regulated construction sites must be performed in accordance with the requirements of Part VI of this general permit.

Section C. Limitations on Permit Coverage

1. Post Construction Discharges

Discharges that occur after construction activities have been completed, and after the construction site and any supporting activity site have undergone final stabilization, are not eligible for coverage under this general permit. Discharges originating from the sites are not authorized under this general permit following the submission of the Notice of Termination (NOT) or removal of the appropriate TCEQ site notice, as applicable, for the regulated construction activity.

2. Prohibition of Non-Stormwater Discharges

Except as otherwise provided in Part II.A. of this general permit, only discharges that are composed entirely of stormwater associated with construction activity may be authorized under this general permit.

3. Compliance with Water Quality Standards

   Discharges to surface water in the state that would cause, have the reasonable potential to cause, or contribute to a violation of water quality standards or that would fail to protect and maintain existing designated uses of surface water in the state are not eligible for coverage under this general permit. The executive director may require an application for an individual permit or alternative general permit (see Parts II.H.2. and 3.) to authorize discharges to surface water in the state if the executive director determines that any activity will cause, has the reasonable potential to cause, or contribute to a violation of water quality standards or is found to cause, has the reasonable potential to cause, or contribute to, the impairment of a designated use. The executive director may also require an application for an individual permit considering factors described in Part II.H.3. of this general permit.

4. Impaired Receiving Waters and Total Maximum Daily Load (TMDL) Requirements

   The permittee shall determine whether the authorized discharge is to an impaired water body on the latest EPA-approved CWA § 303(d) List or waters with an EPA-approved or established TMDL that are found on the latest EPA-approved *Texas Integrated Report of Surface Water Quality for CWA Sections 305(b) and 303(d)*, which lists the category 4 and 5 water bodies.

   New sources or new discharges of the pollutants of concern to impaired waters are not authorized by this permit unless otherwise allowable under 30 TAC Chapter 305 and applicable state law. Impaired waters are those that do not meet applicable water quality standard(s) and are listed as category 4 or 5 in the current version of the *Texas Integrated Report of Surface Water Quality for CWA Sections 305(b) and 303(d)*, and waterbodies listed on the CWA § 303(d) List. Pollutants of concern are those for which the water body is listed as impaired.

   Discharges of the pollutants of concern to impaired water bodies for which there is a TMDL are not eligible for coverage under this general permit unless they are consistent with the approved TMDL. Permittees must incorporate the conditions and requirements applicable to their discharges into their SWP3, in order to be eligible for coverage under this general permit. For consistency with the construction stormwater-related items in an approved TMDL, the SWP3 must be consistent with any applicable condition, goal, or requirement in the TMDL, TMDL Implementation Plan (I-Plan), or as otherwise directed by the executive director.

5. Discharges to the Edwards Aquifer Recharge or Contributing Zone

   Discharges cannot be authorized by this general permit where prohibited by 30 TAC Chapter 213 (relating to Edwards Aquifer). In addition, commencement of construction (see definition for commencement of construction in Part I.B. above)) at a site regulated under 30 TAC Chapter 213, may not begin until the appropriate Edwards Aquifer Protection Plan (EAPP) has been approved by the TCEQ's Edwards Aquifer Protection Program.

   (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 (CZ), operators must meet all applicable requirements of, and operate according to, 30 TAC Chapter 213 (Edwards Aquifer 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 (WPAP) under the Edwards Aquifer Rule 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 Rule for reductions of suspended solids in stormwater runoff are in addition to the requirements in this general permit for this pollutant.

(c) For discharges located within ten (10) 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

6. Discharges to Specific Watersheds and Water Quality Areas

Discharges otherwise eligible for coverage cannot be authorized by this general permit where prohibited by 30 TAC Chapter 311 (relating to Watershed Protection) for water quality areas and watersheds.

7. Protection of Streams and Watersheds by Other Governmental Entities

This general permit does not limit the authority or ability of federal, other state, or local governmental entities from placing additional or more stringent requirements on construction activities or discharges from construction activities.

8. Indian Country Lands

Stormwater runoff from construction activities occurring on Indian Country lands are not under the authority of the TCEQ and are not eligible for coverage under this general permit. If discharges of stormwater require authorization under federal NPDES regulations, authority for these discharges must be obtained from the U.S. Environmental Protection Agency (EPA).

9. Exempt Oil and Gas Activities

The CWA § 402(l)(2) provides that stormwater discharges from construction activities related to oil and gas exploration, production, processing, or treatment, or transmission facilities are exempt from regulation under this permit. The term “oil and gas exploration, production, processing, or treatment operations, or transmission facilities” is defined in 33 U.S.C. Annotated § 1362 (24).

The exemption in CWA § 402(l)(2) *includes* stormwater discharges from construction activities regardless of the amount of disturbed acreage, which are necessary to prepare a site for drilling and the movement and placement of drilling equipment, drilling waste management pits, in field treatment plants, and in field transportation infrastructure (e.g., crude oil pipelines, natural gas treatment plants, and both natural gas transmission pipeline compressor and crude oil pumping stations) necessary for the operation of most producing oil and gas fields. Construction activities are defined in 33 U.S. Code § 1362(24) and interpreted by EPA in the final rule. *See* June 12, 2006 Amendments to the NPDES Regulations for Storm Water Discharges Associated with Oil and Gas Exploration, Production, Processing, or Treatment Operations or Transmission Facilities (71 FR 33628, Part V. Terminology).

The exemption *does not include* stormwater discharges from the construction of administrative buildings, parking lots, and roads servicing an administrative building at an oil and gas site, as these are considered traditional construction activities.

As described in 40 CFR § 122.26(c)(1)(iii) [*regulations prior to 2006*], discharges from oil and gas construction activities are waived from CWA § 402(l)(2) permit coverage *unless* the construction activity (or construction support activity) has had a discharge of stormwater resulting in the discharge of a reportable quantity of oil or hazardous substances or the discharge contributes to a violation of water quality standards.

Exempt oil and gas activities which have lost their exemption as a result of one of the above discharges, must obtain permit coverage under this general permit, an alternative general permit, or a TPDES individual permit prior to the next discharge.

10. Stormwater Discharges from Agricultural Activities

Stormwater discharges from agricultural activities that are not point source discharges of stormwater are not subject to TPDES permit requirements. These activities may include clearing and cultivating ground for crops, construction of fences to contain livestock, construction of stock ponds, and other similar agricultural activities. Discharges of stormwater runoff associated with the construction of facilities that are subject to TPDES regulations, such as the construction of concentrated animal feeding operations, would be point sources regulated under this general permit.

11. 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 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 species is achieved. If a permittee has concerns over potential impacts to listed species, the permittee may contact TCEQ for additional information.

12. Storage of High-Level Radioactive Waste

Discharges of stormwater from construction activities associated with the construction of a facility that is licensed for the storage of high-level radioactive waste by the United States Nuclear Regulatory Commission under 10 CFR Part 72 are not authorized by this general permit. Texas Health and Safety Code (THSC) § 401.0525 prohibits TCEQ from issuing any TPDES authorizations for the construction or operation of these facilities.

Discharges of stormwater from the construction activities associated with the construction of a facility located at the site of currently or formerly operating nuclear power reactors and currently or formerly operating nuclear research and test reactors operated by a university are not prohibited under THSC § 401.0525 and continue to be regulated under this general permit.

13. Other

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

Section D. Deadlines for Obtaining Authorization to Discharge

1. Large Construction Activities

   (a) New Construction – Discharges from sites where the commencement of construction activity occurs on or after the effective date of this general permit must be authorized, either under this general permit or a separate TPDES permit, prior to the commencement of those construction activities.

   (b) Ongoing Construction – Operators of large construction activities continuing to operate after the effective date of this permit, and authorized under the TPDES Construction General Permit (CGP) TXR150000 (effective on March 5, 2018, and amended on January 28, 2022), must submit an NOI to renew authorization or an NOT to terminate coverage under this general permit within 90 days of the effective date of this general permit. During this interim or grace period, as a requirement of this TPDES permit, the operator must continue to meet the conditions and requirements of the issued and amended 2018 TPDES CGP.

2. Small Construction Activities

   (a) New Construction – Discharges from sites where the commencement of construction activity occurs on or after the effective date of this general permit must be authorized, either under this general permit or a separate TPDES permit, prior to the commencement of those construction activities.

   (b) Ongoing Construction – Discharges from ongoing small construction activities that commenced prior to the effective date of this general permit, and that do not meet the conditions to qualify for termination of this permit as described in Part II.F. of this general permit, must meet the requirements to be authorized, either under this general permit or a separate TPDES permit, within 90 days of the effective date of this general permit. During this interim period, as a requirement of this TPDES permit, the operator must continue to meet the conditions and requirements of the issued and amended 2018 TPDES CGP.

Section E. Obtaining Authorization to Discharge

1. Automatic Authorization for Small Construction Activities with Low Potential for Erosion

   Operators of small construction activity, as defined in Part I.B. of this general permit, shall not submit an NOI for coverage, unless otherwise required by the executive director.

   Operators of small construction activities, which occur in certain counties and during periods of low potential for erosion that do not meet the conditions of the waiver described in Part II.G. of this general permit, may be automatically authorized under this general permit if all the following conditions are met prior to the commencement of construction.

   (a) The construction activity occurs in a county and during the corresponding date range(s) listed in Appendix A;

(b) The construction activity is initiated and completed, including either final or temporary stabilization of all disturbed areas, within the time frame identified in Appendix A for the location of the construction site;

(c) All temporary stabilization is adequately maintained to effectively reduce or prohibit erosion, permanent stabilization activities have been initiated, and a condition of final stabilization is completed no later than 30 days following the end date of the time frame identified in Appendix A for the location of the construction site; the permittee signs a completed TCEQ Small Construction Site Notice for low potential for erosion (Form TCEQ-20964), including the certification statement;

(d) A signed and certified copy of the TCEQ Small Construction Site Notice for low potential for erosion is posted at the construction site in a location where it is readily available for viewing by the general public, local, state, and federal authorities prior to commencing construction activities, and maintained in that location until final stabilization has been achieved;

NOTE: Posted TCEQ site notices may have a redacted signature as long as there is an original signed and certified TCEQ site notice, with a viewable signature, located on-site and available for review by any applicable regulatory authority.

(e) A copy of the signed and certified TCEQ Small Construction Site Notice for low potential for erosion is provided to the operator of any MS4 receiving the discharge at least two (2) days prior to commencement of construction activities;

(f) Discharges of stormwater runoff or other non-stormwater discharges from any supporting concrete batch plant or asphalt batch plant is separately authorized under an individual TPDES permit, another TPDES general permit, or under an individual TCEQ permit where stormwater and non-stormwater is disposed of by evaporation or irrigation (discharges are adjacent to water in the state); and

(g) Any non-stormwater discharges are either authorized under a separate permit or authorization, are not considered by TCEQ to be a wastewater, or are captured and routed for disposal at a publicly operated treatment works or licensed waste disposal facility.

If all of the conditions in (a) – (h) above are met, then the operator(s) of small construction activities with low potential for erosion are not required to develop a SWP3.

If an operator is conducting small construction activities and any of the above conditions (a) – (h) are not met, the operator cannot declare coverage under the automatic authorization for small construction activities with low potential for erosion and must meet the requirements for automatic authorization (all other) small construction activities, described below in Part II.E.2.

For small construction activities that occur during a period with a low potential for erosion, where automatic authorization under this section is not available, an operator may apply for and obtain a waiver from permitting (Low Rainfall Erosivity Waiver – LREW), as described in Part II.G. of this general permit. Waivers from coverage under the LREW do not allow for any discharges of non-stormwater and the operator must ensure that discharges on non-stormwater are either authorized under a separate permit or authorization.

2. Automatic Authorization for Small Construction Activities

Operators of small construction activities as defined in Part I.B. of this general permit shall not submit an NOI for coverage, unless otherwise required by the executive director.

Operators of small construction activities, as defined in Part I.B. of this general permit or as defined but who do not meet in the conditions and requirements located in Part II.E.1 above, may be automatically authorized for small construction activities, provided that they meet all of the following conditions:

(a) develop a SWP3 according to the provisions of this general permit, that covers either the entire site or all portions of the site for which the applicant is the operator, and implement the SWP3 prior to commencing construction activities;

(b) all operators of regulated small construction activities must post a copy of a signed and certified TCEQ Small Construction Site Notice (Form TCEQ-20963), the notice must be posted at the construction site in a location where it is safely and readily available for viewing by the general public, local, state, and federal authorities, at least two (2) days prior to commencing construction activity , and maintain the notice in that location until completion of the construction activity (for linear construction activities, e.g. pipeline or highway, the TCEQ site notice must be placed in a publicly accessible location near where construction is actively underway; notice for these linear sites may be relocated, as necessary, along the length of the project, and the notice must be safely and readily available for viewing by the general public; local, state, and federal authorities);

(c) operators must maintain a posted TCEQ Small Construction Site Notice on the approved TCEQ form at the construction site until final stabilization has been achieved; and

> NOTE: Posted TCEQ site notices may have a redacted signature as long as there is an original signed and certified TCEQ Small Construction Site Notice, with a viewable signature, located on-site and available for review by an applicable regulatory authority.

(d) provide a copy of the signed and certified TCEQ Small Construction Site Notice to the operator of any municipal separate storm sewer system (MS4) receiving the discharge at least two (2) days prior to commencement of construction activities.

(e) if signatory authority is delegated by an authorized representative, then a Delegation of Signatory form must be submitted as required by 30 TAC § 305.128 (relating to Signatories to Reports). Operators for small construction activities must submit this form via mail following the instructions on the approved TCEQ paper form. A new Delegation of Signatory form must be submitted if the delegation changes to another individual or position.

As described in Part I.B of this general permit, large construction activities include those that will disturb less than five (5) acres of land, but that are part of a larger common plan of development or sale that will ultimately disturb five (5) or more acres of land and must meet the requirements of Part II.E.3. below.

3. Authorization for Large Construction Activities

Operators of large construction activities that qualify for coverage under this general permit must meet all of the following conditions:

(a) develop a SWP3 according to the provisions of this general permit that covers either the entire site or all portions of the site where the applicant is the operator. The SWP3 must be developed and implemented prior to obtaining coverage and prior to commencing construction activities;

(b) primary operators of large construction activities must submit an NOI prior to commencing construction activity at a construction site. A completed NOI must be submitted to TCEQ electronically using the online ePermits system on TCEQ's website.

Operators with an electronic reporting waiver must submit a completed paper NOI to TCEQ at least seven (7) days prior to commencing construction activity to obtain provisional coverage 48-hours from the postmark date for delivery to the TCEQ. An authorization is no longer provisional when the executive director finds the NOI is administratively complete, and an authorization number is issued to the permittee for the construction site indicated on the NOI.

If an additional primary operator is added after the initial NOI is submitted, the additional primary operator must meet the same requirements for existing primary operator(s), as indicated above.

If the primary operator changes due to responsibility at the site being transferred from one primary operator to another after the initial NOI is submitted, the new primary operator must submit an electronic NOI, unless they request and obtain a waiver from electronic reporting, at least ten (10) days prior to assuming operational control of a construction site and commencing construction activity.

(c) all operators of large construction activities must post a TCEQ Large Construction Site Notice on the approved TCEQ form (Form TCEQ-20961) in accordance with Part III.D.2. of this permit. The TCEQ site notice must be located where it is safely and readily available for viewing by the general public, local, state, and federal authorities prior to commencing construction activities, and must be maintained in that location until final stabilization has been achieved. For linear construction activities, e.g., pipeline or highway, the TCEQ site notice must be placed in a publicly accessible location near where construction is actively underway; notice for these linear sites may be relocated, as necessary, along the length of the project, and the notice must be safely and readily available for viewing by the general public, local, state, and federal authorities;

(d) two days prior to commencing construction activities, all primary operators must:

i. provide a copy of the signed NOI to the operator of any MS4 receiving the discharge and to any secondary construction operator, and

ii. list in the SWP3 the names and addresses of all MS4 operators receiving a copy;

(e) if signatory authority is delegated by an authorized representative, then a Delegation of Signatories form must be submitted as required by 30 TAC § 305.128 (relating to Signatories to Reports). Primary operators must submit this form electronically using the State of Texas Environmental Electronic Reporting System (STEERS), TCEQ's online permitting system, or by paper if the permittee requested and obtained an electronic reporting waiver. A new Delegation of Signatories form must be submitted, if the delegation changes to another individual or position;

(f) all persons meeting the definition of "secondary operator" in Part I of this permit are hereby notified that they are regulated under this general permit, but are not required to submit an NOI, provided that a primary operator at the site has submitted an NOI, or prior to commencement of construction activities, a primary operator is required to submit an NOI and the secondary operator has provided notification to the operator(s) of the need to obtain coverage (with records of notification available upon request). Any secondary operator notified under this provision may alternatively submit an NOI under this general permit, may seek coverage under an alternative TPDES individual permit, or may seek coverage under an alternative TPDES general permit if available; and

(g) all secondary operators of large construction activities must post a copy of the signed and certified TCEQ Large Construction Site Notice for Secondary Operators on the approved TCEQ form (Form TCEQ-20962) and provide a copy of the signed and certified TCEQ site notice to the operator of any MS4 receiving the discharge at least two (2) days prior to the commencement construction activities.

NOTE: Posted TCEQ site notices may have a redacted signature as long as there is an original signed and certified TCEQ Large Construction Site Notice for Secondary Operators, with a viewable signature, located on-site and available for review by an applicable regulatory authority.

Applicants must submit an NOI using the online ePermits system (accessed using STEERS) available through the TCEQ website, or request and obtain a waiver from electronic reporting from the TCEQ. Waivers from electronic reporting are not transferrable and expire on the same date as the authorization to discharge.

4. Waivers for Small Construction Activities:

Operators of certain small construction activities may obtain a waiver from coverage under this general permit, if applicable. The requirements are outlined in Part II.G. below.

5. Effective Date of Coverage

(a) Operators of small construction activities as described in either Part II.E.1. or II.E.2. above are authorized immediately following compliance with the applicable conditions of Part II.E.1. or II.E.2. Secondary operators of large construction activities as described in Part II.E.3. above are authorized immediately following compliance with the applicable conditions in Part II.E.3. For activities located in areas regulated by 30 TAC Chapter 213, related to the Edwards Aquifer, this authorization to discharge is separate from the requirements of the operator's responsibilities under that rule. Construction may not commence for sites regulated under 30 TAC Chapter 213 until all applicable requirements of that rule are met.

(b) Primary operators of large construction activities as described in Part II.E.3. above that electronically submit an NOI are authorized immediately following confirmation of receipt of the electronic form by the TCEQ, unless otherwise notified by the executive director.

Operators with an electronic reporting waiver are provisionally authorized 48-hours from the date that a completed paper NOI is postmarked for delivery to the TCEQ, unless otherwise notified by the executive director. An authorization is no longer provisional when the executive director finds the NOI is administratively complete and an authorization number is issued to the permittee for the construction site indicated on the NOI.

For construction activities located in areas regulated by 30 TAC Chapter 213, related to the Edwards Aquifer, this authorization to discharge is separate from the requirements of the operator's responsibilities under that rule. Construction activities may not commence for sites regulated under 30 TAC Chapter 213 until all applicable requirements of that rule are met.

(c) Operators are not prohibited from submitting late NOIs or posting late site notices to obtain authorization under this general permit. The TCEQ reserves the right to take appropriate enforcement action for any unpermitted activities that may have occurred between the time construction commenced and authorization under this general permit was obtained.

(d) If operators that submitted NOIs have active authorizations for construction activities that are ongoing when this general permit expires on March 5, 2028, and a new general permit is issued, a 90-day interim (grace) period is granted to provide coverage that is administratively continued until operators with active authorizations can obtain coverage under the newly issued CGP. The 90-day grace period starts on the effective date of the newly issued CGP.

6. Contents of the NOI

The NOI form shall require, at a minimum, the following information:

(a) the TPDES CGP authorization number for existing authorizations under this general permit, where the operator submits an NOI to renew coverage within 90 days of the effective date of this general permit;

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

(c) the name (or other identifier), address, county, and latitude/longitude of the construction project or site;

(d) the number of acres that will be disturbed by the applicant;

(e) the estimated construction project start date and end date;

(f) confirmation that the project or site will not be located on Indian Country lands;

(g) confirmation if the construction activity is associated with an oil and gas exploration, production, processing, or treatment, or transmission facility (see Part II.C.9.)

(h) confirmation that the construction activities are not associated with the construction of a facility that is licensed for the storage of high-level radioactive waste by the United States Nuclear Regulatory Commission under 10 CFR Part 72 (see Part II.C.12.);

(i) confirmation that a SWP3 has been developed in accordance with all conditions of this general permit, that it will be implemented prior to commencement of construction activities, and that it is compliant with any applicable local sediment and erosion control plans; for multiple operators who prepare a shared SWP3, the confirmation for an operator may be limited to its obligations under the SWP3 provided all obligations are confirmed by at least one operator;

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

(k) the classified segment number for each classified segment that receives discharges from the regulated construction activity (if the discharge is not directly to a classified segment, then the classified segment number of the first classified segment that those discharges reach); and

(l) the name of all surface waters receiving discharges from the regulated construction activity that are on the latest EPA-approved CWA § 303(d) List of impaired waters or *Texas Integrated Report of Surface Water Quality for CWA Sections 305(b) and 303(d)* as not meeting applicable state water quality standards.

7. Notice of Change (NOC)

(a) If relevant information provided in the NOI changes, the operator that has submitted the NOI must submit an NOC to TCEQ at least fourteen (14) days before the change occurs. Where a 14-day advance notice is not possible, the operator must submit an NOC to TCEQ within fourteen (14) days of discovery of the change. If the operator becomes aware that it failed to submit any relevant facts or submitted

incorrect information in an NOI, the correct information must be submitted to TCEQ in an NOC within fourteen (14) days after discovery.

(b) Information on an NOC may include, but is not limited to, the following:

i. a change in the description of the construction project;

ii. an increase in the number of acres disturbed (for increases of one (1) or more acres);

iii. or the name of the operator (where the name of the operator has changed).

(c) Electronic NOC.

Applicants must submit an NOC using the online ePermits system available through the TCEQ website, or request and obtain a waiver from electronic reporting from the TCEQ. All waivers from electronic reporting are not transferrable. Electronic reporting waivers expire on the same date as the authorization to discharge, except for temporary waivers that expire one (1) year from issuance. A copy of the NOC form or letter must also be placed in the SWP3 and provided to the operator of any MS4 receiving the discharge. Operators are authorized immediately following confirmation of receipt of the electronic form by the TCEQ, unless otherwise notified by the executive director.

(d) Paper NOC.

Applicants who request and obtain an electronic reporting waiver shall submit the NOC on a paper form provided by the executive director, or by letter if an NOC form is not available.

(e) A copy of the NOC form or letter must also be placed in the SWP3 and provided to the operator of any MS4 receiving the discharge. A list that includes the names and addresses of all MS4 operators receiving a copy of the NOC (or NOC letter) must be included in the SWP3. Information that may not be included on an NOC includes but is not limited to the following:

i. 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 (SOS) must be changed.

ii. coverage under this general permit is not transferable from one operator to another. Instead, the new operator will need to submit an NOI or LREW, as applicable, and the previous operator will need to submit an NOT.

iii. a decrease in the number of acres disturbed. This information must be included in the SWP3 and retained on site.

8. Signatory Requirement for NOI Forms, NOT Forms, NOC Forms, and Construction Site Notices

NOI forms, NOT forms, NOC forms, and Construction Site Notices that require a signature must be signed according to 30 TAC § 305.44 (relating to Signatories for Applications).

Section F. Terminating Coverage

1. Notice of Termination (NOT) Required

   Each operator that has submitted an NOI for authorization of large construction activities under this general permit must apply to terminate that authorization following the conditions described in this section of the general permit.

   Authorization of large construction must be terminated by submitting an NOT electronically via the online ePermits system available through the TCEQ website, or on a paper NOT form to TCEQ supplied by the executive director with an approved waiver from electronic reporting. Authorization to discharge under this general permit terminates at midnight on the day a paper NOT is postmarked for delivery to the TCEQ or immediately following confirmation of the receipt of the NOT submitted electronically by the TCEQ.

   Applicants must submit an NOT using the online ePermits system available through the TCEQ website, or request and obtain a waiver from electronic reporting from the TCEQ. Waivers from electronic reporting are not transferrable and expire on the same date as the authorization to discharge, except for temporary waivers that expire one (1) year from issuance.

   The NOT must be submitted to TCEQ, and a copy of the NOT provided to the operator of any MS4 receiving the discharge (with a list in the SWP3 of the names and addresses of all MS4 operators receiving a copy), within 30 days after any of the following conditions are met:

   (a) final stabilization has been achieved on all portions of the site that are the responsibility of the operator;

   (b) a transfer of operational control has occurred (See Section II.F.4. below); or

   (c) the operator has obtained alternative authorization under an individual TPDES permit or alternative TPDES general permit.

   Compliance with the conditions and requirements of this permit is required until the NOT is submitted and approved by TCEQ.

2. Minimum Contents of the NOT

   The NOT form shall require, at a minimum, the following information:

   (a) if authorization for construction activity was granted following submission of an NOI, the permittee's site-specific TPDES authorization number for a specific construction site;

   (b) an indication of whether final stabilization has been achieved at the site and a NOT has been submitted or if the permittee is simply no longer an operator at the site;

   (c) the name, address, and telephone number of the permittee submitting the NOT;

   (d) the name (or other identifier), address, county, and location (latitude/longitude) of the construction project or site; and

   (e) a signed certification that either all stormwater discharges requiring authorization under this general permit will no longer occur, or that the applicant is no longer the operator of the facility or construction site, and that all temporary structural erosion controls have either been removed, will be removed on a schedule defined in the SWP3, or have been transferred to a new operator if the new operator has applied for permit coverage. Erosion controls that are designed to remain in place for an indefinite period, such as mulches and fiber mats, are not required to be removed or scheduled for removal.

3. Termination of Coverage for Small Construction Sites and for Secondary Operators at Large Construction Sites

   (a) Each operator that has obtained automatic authorization for small construction or is a secondary operator for large construction must perform the following when terminating coverage under the permit:

      i. remove the TCEQ site notice;

      ii. complete the applicable portion of the TCEQ site notice related to removal of the TCEQ site notice; and

      iii. submit a copy of the completed TCEQ site notice to the operator of any MS4 receiving the discharge (or provide alternative notification as allowed by the MS4 operator, with documentation of such notification included in the SWP3).

   (b) The activities described in Part II.F.3.(a) above must be completed by the operator within 30 days of meeting any of the following conditions:

      i. final stabilization has been achieved on all portions of the site that are the responsibility of the operator;

      ii. a transfer of day-to-day operational control over activities necessary to ensure compliance with the SWP3 and other permit conditions has occurred (See Section II.F.4. below); or

      iii. the operator has obtained alternative authorization under an individual or general TPDES permit.

   For Small Construction Sites and Secondary Operators at Large Construction Sites, authorization to discharge under this general permit terminates immediately upon removal of the applicable TCEQ construction site notice. Compliance with the conditions and requirements of this permit is required until the TCEQ construction site notice is removed. The construction site notice cannot be removed until final stabilization has been achieved.

4. Transfer of Day-to-Day Operational Control

   (a) When the primary operator of a large construction activity changes or operational control over activities necessary to ensure compliance with the SWP3 and other permit conditions is transferred to another primary operator, the original operator must do the following:

      i. submit an NOT within ten (10) days prior to the date that responsibility for operations terminates, and the new operator must submit an NOI at least ten (10) days prior to the transfer of operational control, in accordance with condition (c) below; and

      ii. submit a copy of the NOT from the primary operator terminating its coverage under the permit and its operational control of the construction site and submit a copy of the NOI from the new primary operator to the operator of any MS4 receiving the discharge in accordance with Part II.F.1. above.

   (b) For transfer of operational control, operators of small construction activities and secondary operators of large construction activities who are not required to submit an NOI must do the following:

      i. the existing operator must remove the original TCEQ construction site notice, and the new operator must post the required TCEQ construction site notice prior to the transfer of operational control, in accordance with the conditions in Part II.F.4.(c) i or ii below; and

ii. a copy of the TCEQ construction site notice, which must be completed and provided to the operator of any MS4 receiving the discharge, in accordance with Part II.F.3. above.

(c) Each operator is responsible for determining its role as an operator as defined in Part I.B. and obtaining authorization under the permit, as described above in Part II.E. 1. - 3. Where authorization has been obtained by submitting an NOI for coverage under this general permit, permit coverage is not transferable from one operator to another. A transfer of operational control can include 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 (SOS). A transfer of operational control can also occur when one of the following criteria is met, as applicable:

i. another operator has assumed control over all areas of the site that do not meet the definition for final stabilization;

ii. all silt fences and other temporary erosion controls have either been removed, scheduled for removal as defined in the SWP3, or transferred to a new operator, provided that the original permitted operator has attempted to notify the new operator in writing of the requirement to obtain permit coverage. Records of this notification (or attempt at notification) shall be retained by the operator transferring operational control to another operator in accordance with Part VI of this permit. Erosion controls that are designed to remain in place for an indefinite period, such as mulches and fiber mats, are not required to be removed or scheduled for removal; or

iii. a homebuilder has purchased one (1) or more lots from an operator who obtained coverage under this general permit for a common plan of development or sale. The homebuilder is considered a new operator and shall comply with the requirements of this permit. Under these circumstances, the homebuilder is only responsible for compliance with the general permit requirements as they apply to the lot(s) it has operational control over in a larger common plan of development, and the original operator remains responsible for common controls or discharges, and must amend its SWP3 to remove the lot(s) transferred to the homebuilder.

Section G. Waivers from Coverage

The executive director may waive the otherwise applicable requirements of this general permit for stormwater discharges from small construction activities under the terms and conditions described in this section.

1. Waiver Applicability and Coverage

Operators of small construction activities may apply for and receive a waiver from the requirements to obtain authorization under this general permit, when the calculated rainfall erosivity (R) factor for the entire period of the construction project is less than five (5).

The operator must submit a Low Rainfall Erosivity Waiver (LREW) certification form to the TCEQ electronically via the online ePermits system available through the TCEQ website. The LREW form is a certification by the operator that the small construction activity will commence and be completed within a period when the value of the calculated R factor is less than five (5).

Applicants who request and obtain an electronic reporting waiver shall submit the LREW on a paper form provided by the executive director at least seven (7) days prior to commencing construction activity to obtain provisional coverage 48-hours from the postmark date for delivery to the TCEQ. An authorization is no longer provisional when the executive director finds the LREW is administratively complete, and an authorization number is issued to the permittee for the construction site indicated on the LREW. Waivers from electronic reporting are not transferrable and expire on the same date as the authorization to discharge, except for temporary waivers that expire one (1) year from issuance.

This LREW from coverage does not apply to any non-stormwater discharges, including what is allowed under this permit. The operator must ensure that all non-stormwater discharges are either authorized under a separate permit or authorization or are captured and routed to an authorized treatment facility for disposal.

2. Steps to Obtaining a Waiver

The construction site operator may calculate the R factor to request a waiver using the following steps:

(a) estimate the construction start date and the construction end date. The construction end date is the date that final stabilization will be achieved.

(b) find the appropriate Erosivity Index (EI) zone in Appendix B of this permit.

(c) find the EI percentage for the project period by adding the results for each period of the project using the table provided in Appendix D of this permit, in EPA Fact Sheet 2.1, or in USDA Handbook 703, by subtracting the start value from the end value to find the percent EI for the site.

(d) refer to the Isoerodent Map (Appendix C of this permit) and interpolate the annual isoerodent value for the proposed construction location.

(e) multiply the percent value obtained in Step (c) above by the annual isoerodent value obtained in Step (d). This is the R factor for the proposed project. If the value is less than five (5), then a waiver may be obtained. If the value is five (5) or more, then a waiver may not be obtained, and the operator must obtain coverage under Part II.E.2. of this permit.

Alternatively, the operator may calculate a site-specific R factor utilizing the following online calculator: https://lew.epa.gov/, or using another available resource.

A copy of the LREW certification form is not required to be posted at the small construction site.

3. Effective Date of an LREW

Unless otherwise notified by the executive director, operators of small construction activities seeking coverage under an LREW are provisionally waived from the otherwise applicable requirements of this general permit 48-hours from the date that a completed paper LREW certification form is postmarked for delivery to TCEQ, or immediately upon receiving confirmation of approval of an electronic submittal, made via the online ePermits system available through the TCEQ website.

Applicants seeking coverage under an LREW must submit an application for an LREW using the online ePermits system available through the TCEQ website, or request and obtain a waiver from electronic reporting from the TCEQ. Waivers from electronic reporting are not transferrable and expire on the same date as the authorization to discharge.

4. Activities Extending Beyond the LREW Period

   If a construction activity extends beyond the approved waiver period due to circumstances beyond the control of the operator, the operator must either:

   (a) recalculate the R factor using the original start date and a new projected ending date, and if the R factor is still under five (5), submit a new LREW form at least two (2) days before the end of the original waiver period; or

   (b) obtain authorization under this general permit according to the requirements for automatic authorization for small construction activities in Part II.E.2. of this permit, prior to the end of the approved LREW period.

Section H. Alternative TPDES Permit Coverage

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). Applications for individual permit coverage must be submitted at least 330 days prior to commencement of construction activities to ensure timely authorization. Existing coverage under this general permit should not be terminated until an individual permit is issued and in effect.

2. General Permit Alternative

   Any discharges 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), as applicable.

3. Individual Permit Required

   The executive director may require an operator of a construction site, 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 or TMDL I-Plan on the receiving water;

   (b) the activity being determined to cause, has a reasonable potential to cause, or contribute to 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 (relating to General Permits for Waste Discharges) 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.

      A discharger with a TCEQ compliance history rating of “unsatisfactory” is ineligible for coverage under this general permit. In that case, 30 TAC § 60.3 requires the executive director to deny or suspend an authorization to discharge under a general permit. However, per TWC § 26.040(h), a discharger is entitled to a hearing before the commission prior to having an authorization denied or suspended for having an “unsatisfactory” compliance history.

   Denial of authorization to discharge under this general permit or suspension of a permittee’s authorization under this general permit for reasons other than compliance history shall be done according to commission rules in 30 TAC Chapter 205 (relating to General Permits for Waste Discharges).

Section I. Permit Expiration

1. This general permit is effective for a term not to exceed five (5) years. All active discharge authorizations expire on the date provided on page one (1) of this permit. 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. All authorizations that are active at the time the permit term expires will be administratively continued as indicated in Part II.I.2. below and in Part II.D.1.(b) and D.2.(b) of this permit.
2. If the executive director publishes a notice of the intent to renew or amend this general permit before the expiration date, the permit will remain in effect for existing, authorized discharges until the commission takes final action on the permit. Upon issuance of a renewed or amended permit, permittees may be required to submit an NOI within 90 days following the effective date of the renewed or amended permit, unless that permit provides for an alternative method for obtaining authorization.
3. If the commission does not propose to reissue this general permit within 90 days before the expiration date, permittees shall apply for authorization under an individual permit or an alternative general permit. If the application for an individual permit is submitted before the expiration date, authorization under this expiring general permit remains in effect until the issuance or denial of an individual permit. No new NOIs will be accepted nor new authorizations honored under the general permit after the expiration date.

Part III. Stormwater Pollution Prevention Plans (SWP3)

All regulated construction site operators shall prepare an SWP3, prior to submittal of an NOI, to address discharges authorized under Parts II.E.2. and II.E.3. of this general permit that will reach waters of the U.S. This includes discharges to MS4s and privately owned separate storm sewer systems that drain into surface water in the state or waters of the U.S.

Individual operators at a site may develop separate SWP3s that cover only their portion of the project, provided reference is made to the other operators at the site. Where there is more than one (1) SWP3 for a site, operators must coordinate to ensure that BMPs and controls are consistent and do not negate or impair the effectiveness of each other. Regardless of whether a single comprehensive SWP3 is developed or separate SWP3s are developed for each operator, it is the responsibility of each operator to ensure compliance with the terms and conditions of this general permit in the areas of the construction site where that operator has control over construction plans and specifications or day-to-day operations.

An SWP3 must describe the implementation of practices that will be used to minimize to the extent practicable the discharge of pollutants in stormwater associated with construction activity and non-stormwater discharges described in Part II.A.3., in compliance with the terms and conditions of this permit.

An SWP3 must also identify any potential sources of pollution that have been determined to cause, have a reasonable potential to cause, or contribute to a violation of water quality standards or have been found to cause or contribute to the loss of a designated use of surface water in the state from discharges of stormwater from construction activities and construction support activities. Where potential sources of these pollutants are present at a construction site, the SWP3 must also contain a description of the management practices that will be used to prevent these pollutants from being discharged into surface water in the state or waters of the U.S.

> NOTE: Construction support activities can also include vehicle repair areas, fueling areas, etc. that are present at a construction site solely for the support construction activities and are only used by operators at the construction site.

The SWP3 is intended to serve as a road map for how the construction operator will comply with the effluent limits and other conditions of this permit. Additional portions of the effluent limits are established in Part IV. of the permit.

Section A. Shared SWP3 Development

For more effective coordination of BMPs and opportunities for cost sharing, a cooperative effort by the different operators at a site is encouraged. Operators of small and large construction activities must independently obtain authorization under this permit but may work together with other regulated operators at the construction site to prepare and implement a single, comprehensive SWP3, which can be shared by some or all operators, for the construction activities that each of the operators are performing at the entire construction site.

1. The SWP3 must include the following:
   (a) for small construction activities – the name of each operator that participates in the shared SWP3;
   (b) for large construction activities – the name of each operator that participates in the shared SWP3, the general permit authorization numbers of each operator (or the date that the NOI was submitted to TCEQ by each operator that has not received an authorization number for coverage under this permit); and
   (c) for large and small construction activities – the signature of each operator participating in the shared SWP3.
2. The SWP3 must clearly indicate which operator is responsible for satisfying each shared requirement of the SWP3. If the responsibility for satisfying a requirement is not described in the plan, then each permittee is entirely responsible for meeting the requirement within the boundaries of the construction site where they perform construction activities. The SWP3 must clearly describe responsibilities for meeting each requirement in shared or common areas.
3. The SWP3 may provide that one operator is responsible for preparation of a SWP3 in compliance with the CGP, and another operator is responsible for implementation of the SWP3 at the project site.

Section B. Responsibilities of Operators

1. Secondary Operators and Primary Operators with Control Over Construction Plans and Specifications

   All secondary operators and primary operators with control over construction plans and specifications shall:
   (a) ensure the project specifications allow or provide that adequate BMPs are developed to meet the requirements of Part III of this general permit;
   (b) ensure that the SWP3 indicates the areas of the project where they have control over project specifications, including the ability to make modifications in specifications;
   (c) ensure that all other operators affected by modifications in project specifications are notified in a timely manner so that those operators may modify their BMP s as necessary to remain compliant with the conditions of this general permit; and

(d) ensure that the SWP3 for portions of the project where each operator has control indicates the name and site-specific TPDES authorization number(s) for operators with the day-to-day operational control over those activities necessary to ensure compliance with the SWP3 and other permit conditions. If a primary operator has not been authorized or has abandoned the site, the secondary operator is considered to be the responsible party and must obtain authorization as a primary operator under the permit, until the authority for day-to-day operational control is transferred to another primary operator. The new primary operator must update or develop a new SWP3 that will reflect the transfer of operational control and include any additional updates to the SWP3 to meet requirements of the permit.

2. Primary Operators with Day-to-Day Operational Control

Primary operators with day-to-day operational control of those activities at a project that are necessary to ensure compliance with an SWP3 and other permit conditions must ensure that the SWP3 accomplishes the following requirements:

(a) meets the requirements of this general permit for those portions of the project where they are operators;

(b) identifies the parties responsible for implementation of BMPs described in the SWP3;

(c) indicates areas of the project where they have operational control over day-to-day activities; and

(d) the name and site-specific TPDES authorization number of the parties with control over project specifications, including the ability to make modifications in specifications for areas where they have operational control over day-to-day activities.

Section C. Deadlines for SWP3 Preparation, Implementation, and Compliance

The SWP3 must be prepared prior to obtaining authorization under this general permit, and implemented prior to commencing construction activities that result in soil disturbance. The SWP3 must be prepared so that it provides for compliance with the terms and conditions of this general permit.

Section D. Plan Review and Making Plans Available

1. The SWP3 must be retained on-site at the construction site or, if the site is inactive or does not have an on-site location to store the plan, a notice must be posted describing the location of the SWP3. The SWP3 must be made readily available at the time of an on-site inspection to: the executive director; a federal, state, or local agency approving sediment and erosion plans, grading plans, or stormwater management plans; local government officials; and the operator of a municipal separate storm sewer receiving discharges from the site. If the SWP3 is retained off-site, then it shall be made available as soon as reasonably possible. In most instances, it is reasonable that the SWP3 shall be made available within 24 hours of the request.

   NOTE: The SWP3 may be prepared and kept electronically, rather than in paper form, if the records are: (a) in a format that can be read in a similar manner as a paper record; (b) legally valid with no less evidentiary value than their paper equivalent; and (c) immediately accessible to the inspector during an inspection to the same extent as a paper copy stored at the site would be, if the records were stored in paper form.

2. Operators with authorization for construction activity under this general permit must post a TCEQ site notice at the construction site at a place readily available for viewing by the general public, and local, state, and federal authorities.

(a) Primary and secondary operators of large construction activities must each post a TCEQ construction site notice, respective to their role as an operator at the construction site, as required above and according to requirements in Part II.E.3. of this general permit.

(b) Primary and secondary operators of small construction activities must post the TCEQ site notice as required in Part III.D.2.(a) above and for the specific type of small construction described in Part II.E.1. and 2. of the permit.

(c) If the construction project is a linear construction project, such as a pipeline or highway, the notices must be placed in a publicly accessible location near where construction is actively underway. TCEQ construction site notices for small and large construction activities at these linear construction sites may be relocated, as necessary, along the length of the project, but must still be readily available for viewing by the general public; local, state, and federal authorities; and contain the following information:

i. the site-specific TPDES authorization number for the project if assigned;

ii. the operator name, contact name, and contact phone number;

iii. a brief description of the project; and

iv. the location of the SWP3.

3. This permit does not provide the general public with any right to trespass on a construction site for any reason, including inspection of a site; nor does this permit require that permittees allow members of the general public access to a construction site.

Section E. Revisions and Updates to SWP3s

The permittee must revise or update the SWP3, including the site map, within seven (7) days of when any of the following occurs:

1. a change in design, construction, operation, or maintenance that has a significant effect on the discharge of pollutants and that has not been previously addressed in the SWP3;
2. changing site conditions based on updated plans and specifications, new operators, new areas of responsibility, and changes in BMPs; or
3. results of inspections or investigations by construction site personnel authorized by the permittee, operators of a municipal separate storm sewer system receiving the discharge, authorized TCEQ personnel, or a federal, state or local agency approving sediment and erosion plans indicate the SWP3 is proving ineffective in eliminating or significantly minimizing pollutants in discharges authorized under this general permit.

Section F. Contents of SWP3

The SWP3 must be developed and implemented by primary operators of small and large construction activities and include, at a minimum, the information described in this section and must comply with the construction and development effluent guidelines in Part IV. of the general permit.

1. A site or project description, which includes the following information:

(a) a description of the nature of the construction activity;

(b) a list of potential pollutants and their sources;

(c) a description of the intended schedule or sequence of activities that will disturb soils for major portions of the site, including estimated start dates and duration of activities;

(d) the total number of acres of the entire property and the total number of acres where construction activities will occur, including areas where construction support activities (defined in Part I.B. of this general permit) occur;

(e) data describing the soil or the quality of any discharge from the site;

(f) a map showing the general location of the site (e.g., a portion of a city or county map);

(g) a detailed site map (or maps) indicating the following:

i. property boundary(ies);

ii. drainage patterns and approximate slopes anticipated before and after major grading activities;

iii. areas where soil disturbance will occur (note any phasing), including any demolition activities;

iv. locations of all controls and buffers, either planned or in place;

v. locations where temporary or permanent stabilization practices are expected to be used;

vi. locations of construction support activities, including those located off-site;

vii. surface waters (including wetlands) either at, adjacent, or in close proximity to the site, and also indicate whether those waters are impaired;

NOTE: Surface waters adjacent to or in close proximity to the site means any receiving waters within the site and all receiving waters within one mile downstream of the site's discharge point(s).

viii. locations where stormwater discharges from the site directly to a surface water body or a municipal separate storm sewer system;

ix. vehicle wash areas; and

x. designated points on the site where vehicles will exit onto paved roads (for instance, this applies to construction transition from unstable dirt areas to exterior paved roads).

Where the amount of information required to be included on the map would result in a single map being difficult to read and interpret, the operator shall develop a series of maps that collectively include the required information.

(h) the location and description of support activities authorized under the permittee's NOI, including asphalt plants, concrete plants, and other activities providing support to the construction site that is authorized under this general permit;

(i) the name of receiving waters at or near the site that may be disturbed or that may receive discharges from disturbed areas of the project;

(j) a copy of this TPDES general permit (an electronic copy of this TPDES general permit or a current link to this TPDES general permit on the TCEQ webpage is acceptable);

(k) the NOI and the acknowledgement of provisional and non-provisional authorization for primary operators of large construction sites, and the TCEQ site notice for small construction sites and for secondary operators of large construction sites;

(l) if signatory authority is delegated by an authorized representative, then a copy of the formal notification to TCEQ, as required by 30 TAC 305.128 relating to Signatories to Reports must be filed in the SWP3 and made available for review upon request by TCEQ or local MS4 Operator. For primary operators of large construction activities, the formal notification to TCEQ must be submitted either electronically through

STEERS, TCEQ's electronic reporting system, or, if qualifying for an electronic reporting waiver, by paper on a Delegation of Signatories form. For operators or small construction activities, the formal notification to TCEQ must be submitted by paper on a Delegation of Signatories form.

(m) stormwater and allowable non-stormwater discharge locations, including storm drain inlets on site and in the immediate vicinity of the construction site where construction support activities will occur; and

(n) locations of all pollutant-generating activities at the construction site and where construction support activities will occur, such as the following: Paving operations; concrete, paint and stucco washout and water disposal; solid waste storage and disposal; and dewatering operations.

2. A description of the BMPs that will be used to minimize pollution in runoff.

The description must identify the general timing or sequence for installation and implementation. At a minimum, the description must include the following components:

(a) General Requirements

i. Erosion and sediment controls must be designed to retain sediment on-site to the extent practicable with consideration for local topography, soil type, and rainfall.

ii. Control measures must be properly selected, installed, and maintained according to good engineering practices, and the manufacturer's or designer's specifications.

iii. Controls must be developed to minimize the offsite transport of litter, construction debris, construction materials, and other pollutants required of Part IV.D.

(b) Erosion Control and Stabilization Practices

The SWP3 must include a description of temporary and permanent erosion control and stabilization practices for the construction site, where small or large construction activity will occur. The erosion control and stabilization practices selected by the permittee must be compliant with the requirements for sediment and erosion control, located in Part IV. of this permit. The description of the SWP3 must also include a schedule of when the practices will be implemented. Site plans must ensure that existing vegetation at the construction site is preserved where it is possible.

i. Erosion control and stabilization practices may include but are not limited to: establishment of temporary or permanent vegetation, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of existing trees and vegetation, slope texturing, temporary velocity dissipation devices, flow diversion mechanisms, and other similar measures.

ii. The following records must be maintained and either attached to or referenced in the SWP3, and made readily available upon request to the parties listed in Part III.D.1 of this general permit:

(A) the dates when major grading activities occur;

(B) the dates when construction activities temporarily or permanently cease on a portion of the site; and

(C) the dates when stabilization measures are initiated.

iii. Erosion control and stabilization measures must be initiated immediately in portions of the site where construction activities have temporarily ceased and will not resume for a period exceeding fourteen (14) calendar days. Stabilization

measures that provide a protective cover must be initiated immediately in portions of the site where construction activities have permanently ceased. The term "immediately" is used to define the deadline for initiating stabilization measures. In the context of this requirement, "immediately" means as soon as practicable, but no later than the end of the next work day, following the day when the earth-disturbing activities have temporarily or permanently ceased. Except as provided in (A) through (D) below, these measures must be completed as soon as practicable, but no more than fourteen (14) calendar days after the initiation of soil stabilization measures:

(A) where the immediate initiation of vegetative stabilization measures after construction activity has temporarily or permanently ceased due to frozen conditions, non-vegetative controls must be implemented until thawing conditions (as defined in Part I.B. of this general permit) are present, and vegetative stabilization measures can be initiated as soon as practicable.

(B) in arid areas, semi-arid areas, or drought-stricken areas, as they are defined in Part I.B. of this general permit, where the immediate initiation of vegetative stabilization measures after construction activity has temporarily or permanently ceased or is precluded by arid conditions, other types of erosion control and stabilization measures must be initiated at the site as soon as practicable. Where vegetative controls are infeasible due to arid conditions, and within fourteen (14) calendar days of a temporary or permanent cessation of construction activity in any portion of the site, the operator shall immediately install non-vegetative erosion controls in areas of the construction site where construction activity is complete or has ceased. If non-vegetative controls are infeasible, the operator shall install temporary sediment controls as required in Part III.F.2.(b)iii.(C) below.

(C) in areas where non-vegetative controls are infeasible, the operator may alternatively utilize temporary perimeter controls. The operator must document in the SWP3 the reason why stabilization measures are not feasible, and must demonstrate that the perimeter controls will retain sediment on site to the extent practicable. The operator must continue to inspect the BMPs at the frequencies established in Part III.F.8.(c) for unstabilized sites.

(D) the requirement for permittees to initiate stabilization is triggered as soon as it is known with reasonable certainty that construction activity at the site or in certain areas of the site will be stopped for 14 or more additional calendar days. If the initiation or completion of vegetative stabilization is prevented by circumstances beyond the control of the permittee, the permittee must employ and implement alternative stabilization measures immediately. When conditions at the site changes that would allow for vegetative stabilization, then the permittee must initiate or complete vegetative stabilization as soon as practicable.

iv. Final stabilization must be achieved prior to termination of permit coverage.

v. TCEQ does not expect that temporary or permanent stabilization measures to be applied to areas that are intended to be left un-vegetated or un-stabilized following construction (e.g., dirt access roads, utility pole pads, areas being used for storage of vehicles, equipment, or materials).

(c) Sediment Control Practices

The SWP3 must include a description of any sediment control practices used to remove eroded soils from stormwater runoff, including the general timing or sequence for implementation of controls. Controls selected by the permittee must be compliant with the requirements in Part IV. of this permit.

i. Sites With Drainage Areas of Ten (10) or More Acres

(A) Sedimentation Basin(s) or Impoundments

(1) A sedimentation basin or similar impoundment is required, where feasible, for a common drainage location that serves an area with ten (10) or more acres disturbed at one time. A sedimentation basin or impoundment may be temporary or permanent, and must provide sufficient storage to contain a calculated volume of runoff from a 2-year, 24-hour storm from each disturbed acre drained. When calculating the volume of runoff from a 2-year, 24-hour storm event, it is not required to include the flows from offsite areas and flow from onsite areas that are either undisturbed or have already undergone permanent stabilization, if these flows are diverted around both the disturbed areas of the site and the sediment basin or similar impoundment. Capacity calculations shall be included in the SWP3. Sedimentation basins must be designed for and appropriate for controlling runoff at the site and existing detention or retention ponds at the site may not be appropriate.

(2) Where rainfall data is not available, or a calculation cannot be performed, the sedimentation basin must provide at least 3,600 cubic feet of storage per acre drained until final stabilization of the site.

(3) If a sedimentation basin or impoundment is not feasible, then the permittee shall provide equivalent control measures until final stabilization of the site. In determining whether installing a sediment basin or impoundment is feasible, the permittee may consider factors such as site soils, slope, available area, public safety, precipitation patterns, site geometry, site vegetation, infiltration capacity, geotechnical factors, depth to groundwater, and other similar considerations. The permittee shall document the reason that the sediment basins or impoundments are not feasible, and shall utilize equivalent control measures, which may include a series of smaller sediment basins or impoundments.

(4) Unless infeasible, when discharging from sedimentation basins and impoundments, the permittee shall utilize outlet structures that withdraw water from the surface.

(B) Perimeter Controls: At a minimum, silt fences, vegetative buffer strips, or equivalent sediment controls are required for all down slope boundaries of the construction area, and for those side slope boundaries deemed appropriate as dictated by individual site conditions.

ii. Controls for Sites with Drainage Areas Less than Ten (10) Acres:

(A) Sediment traps and sediment basins may be used to control solids in stormwater runoff for drainage locations serving less than ten (10) acres. At a minimum, silt fences, vegetative buffer strips, or equivalent sediment controls are required for all down slope boundaries of the construction area, and for those side slope boundaries deemed appropriate as dictated by individual site conditions.

(B) Alternatively, a sediment basin that provides storage for a calculated volume of runoff from a 2-year, 24-hour storm from each disturbed acre drained may be utilized. Where rainfall data is not available or a calculation cannot be performed, a temporary or permanent sediment basin providing 3,600 cubic feet of storage per acre drained may be provided. If a calculation is performed, then the calculation shall be included in the SWP3.

(C) If sedimentation basins or impoundments are used, the permittee shall comply with the requirements in Part IV.F. of this general permit.

3. Description of Permanent Stormwater Controls

A description of any stormwater control measures that will be installed during the construction process to control pollutants in stormwater discharges that may occur after construction operations have been completed must be included in the SWP3. Permittees are responsible for the installation and maintenance of stormwater management measures, as follows:

(a) permittees authorized under the permit for small construction activities are responsible for the installation and maintenance of stormwater control measures prior to final stabilization of the site; or

(b) permittees authorized under the permit for large construction activities are responsible for the installation and maintenance of stormwater control measures prior to final stabilization of the site and prior to submission of an NOT.

4. Other Required Controls and BMPs

(a) Permittees shall minimize, to the extent practicable, the off-site vehicle tracking of sediments and dust. The SWP3 shall include a description of controls utilized to control the generation of pollutants that could be discharged in stormwater from the site.

(b) The SWP3 must include a description of construction and waste materials expected to be stored on-site and a description of controls to minimize pollutants from these materials.

(c) The SWP3 must include a description of potential pollutant sources in discharges of stormwater from all areas of the construction site where construction activity, including construction support activities, will be located, and a description of controls and measures that will be implemented at those sites to minimize pollutant discharges.

(d) Permittees shall place velocity dissipation devices at discharge locations and along the length of any outfall channel (i.e., runoff conveyance) to provide a non-erosive flow velocity from the structure to a water course, so that the natural physical and biological characteristics and functions are maintained and protected.

(e) Permittees shall design and utilize appropriate controls in accordance with Part IV. of this permit to minimize the offsite transport of suspended sediments and other pollutants if it is necessary to pump or channel standing water from the site.

(f) Permittees shall ensure that all other required controls and BMPs comply with all of the requirements of Part IV. of this general permit.

(g) For demolition of any structure with at least 10,000 square feet of floor space that was built or renovated before January 1, 1980, and the receiving waterbody is impaired for polychlorinated biphenyls (PCBs):

i. implement controls to minimize the exposure of PCB-containing building materials, including paint, caulk, and pre-1980 fluorescent lighting fixtures to precipitation and to stormwater; and

ii. ensure that disposal of such materials is performed in compliance with applicable state, federal, and local laws.

5. Documentation of Compliance with Approved State and Local Plans

   (a) Permittees must ensure that the SWP3 is consistent with requirements specified in applicable sediment and erosion site plans or site permits, or stormwater management site plans or site permits approved by federal, state, or local officials.

   (b) SWP3s must be updated as necessary to remain consistent with any changes applicable to protecting surface water resources in sediment erosion site plans or site permits, or stormwater management site plans or site permits approved by state or local official for which the permittee receives written notice.

   (c) If the permittee is required to prepare a separate management plan, including but not limited to a WPAP or Contributing Zone Plan in accordance with 30 TAC Chapter 213 (related to the Edwards Aquifer), then a copy of that plan must be either included in the SWP3 or made readily available upon request to authorized personnel of the TCEQ. The permittee shall maintain a copy of the approval letter for the plan in its SWP3.

6. Maintenance Requirements

   (a) All protective measures identified in the SWP3 must be maintained in effective operating condition. If, through inspections or other means, as soon as the permittee determines that BMPs are not operating effectively, then the permittee shall perform maintenance as necessary to maintain the continued effectiveness of stormwater controls, and prior to the next rain event if feasible. If maintenance prior to the next anticipated storm event is impracticable, the reason shall be documented in the SWP3 and maintenance must be scheduled and accomplished as soon as practicable. Erosion and sediment controls that have been intentionally disabled, run-over, removed, or otherwise rendered ineffective must be replaced or corrected immediately upon discovery.

   (b) If periodic inspections or other information indicates a control has been used incorrectly, is performing inadequately, or is damaged, then the operator shall replace or modify the control as soon as practicable after making the discovery.

   (c) Sediment must be removed from sediment traps and sedimentation ponds no later than the time that design capacity has been reduced by 50%. For perimeter controls such as silt fences, berms, etc., the trapped sediment must be removed before it reaches 50% of the above-ground height.

   (d) If sediment escapes the site, accumulations must be removed at a frequency that minimizes off-site impacts, and prior to the next rain event, if feasible. If the permittee does not own or operate the off-site conveyance, then the permittee shall work with the owner or operator of the property to remove the sediment.

7. Observation and Evaluation of Dewatering Controls Pursuant to Part IV.C. of this General Permit

   (a) Personnel provided by the permittee must observe and evaluate dewatering controls at a minimum of once per day on the days where dewatering discharges from the construction site occur. Personnel conducting these evaluations must be knowledgeable of this general permit, the construction activities at the site, and the SWP3 for the site. Personnel conducting these evaluations are not required to have signatory authority for reports under 30 TAC § 305.128 (relating to Signatories to Reports).

(b) Requirements for Observations and Evaluations

i. A report summarizing the scope of any observation and evaluation must be completed within 24-hours following the evaluation. The report must also include, at a minimum, the following:

(A) date of the observations and evaluation;

(B) name(s) and title(s) of personnel making the observations and evaluation;

(C) approximate times that the dewatering discharge began and ended on the day of evaluation, or if the dewatering discharge is a continuous discharge that continues after normal business hours, indicate that the discharge is continuous (this information can be reported by personnel initiating the dewatering discharge);

(D) estimates of the rate (in gallons per day) of discharge on the day of evaluation;

(E) whether or not any indications of pollutant discharge were observed at the point of discharge (e.g., foam, oil sheen, noticeable odor, floating solids, suspended sediments, or other obvious indicators of stormwater pollution); and

(F) major observations, including: the locations of where erosion and discharges of sediment or other pollutants from the site have occurred; locations of BMPs that need to be maintained; locations of BMPs that failed to operate as designed or proved inadequate for a particular location; and locations where additional BMPs are needed.

ii. Actions taken as a result of evaluations, including the date(s) of actions taken, must be described within, and retained as a part of, the SWP3. Reports must identify any incidents of non-compliance. Where a report does not identify any incidents of non-compliance, the report must contain a certification that the facility or site is in compliance with the SWP3 and this permit. The report must be retained as part of the SWP3 and signed by the person and in the manner required by 30 TAC § 305.128 (relating to Signatories to Reports).

iii. The names and qualifications of personnel making the evaluations for the permittee may be documented once in the SWP3 rather than being included in each report.

8. Inspections of All Controls

(a) Personnel provided by the permittee must inspect disturbed areas (cleared, graded, or excavated) of the construction site that do not meet the requirements of final stabilization in this general permit, all locations where stabilization measures have been implemented, areas of construction support activity covered under this permit, stormwater controls (including pollution prevention controls) for evidence of, or the potential for, the discharge of pollutants, areas where stormwater typically flows within the construction site, and points of discharge from the construction site.

i. Personnel conducting these inspections must be knowledgeable of this general permit, the construction activities at the site, and the SWP3 for the site.

ii. Personnel conducting these inspections are not required to have signatory authority for inspection reports under 30 TAC § 305.128 (relating to Signatories to Reports).

(b) Requirements for Inspections

i. Inspect all stormwater controls (including sediment and erosion control measures identified in the SWP3) to ensure that they are installed properly, appear to be operational, and minimizing pollutants in discharges, as intended.

ii. Identify locations on the construction site where new or modified stormwater controls are necessary.

iii. Check for signs of visible erosion and sedimentation that can be attributed to the points of discharge where discharges leave the construction site or discharge into any surface water in the state flowing within or adjacent to the construction site.

iv. Identify any incidents of noncompliance observed during the inspection.

v. Inspect locations where vehicles enter or exit the site for evidence of off-site sediment tracking.

vi. If an inspection is performed when discharges from the construction site are occurring: identify all discharge points at the site, and observe and document the visual quality of the discharge (i.e., color, odor, floating, settled, or suspended solids, foam, oil sheen, and other such indicators of pollutants in stormwater).

vii. Complete any necessary maintenance needed, based on the results of the inspection and in accordance with the requirements listed in Part III.F.6. above.

(c) Inspection frequencies:

i. Inspections of construction sites must be conducted at least once every fourteen (14) calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater, unless as otherwise provided below in Part III.F.8.(c)ii. – v. below.

(A) If a storm event produces 0.5 inches or more of rain within a 24-hour period (including when there are multiple, smaller storms that alone produce less than 0.5 inches but together produce 0.5 inches or more in 24 hours), you are required to conduct one inspection within 24 hours of when 0.5 inches of rain or more has fallen. When the 24-hour inspection time frame occurs entirely outside of normal working hours, you must conduct an inspection by no later than the end of the next business day.

(B) If a storm event produces 0.5 inches or more of rain within a 24-hour period on the first day of a storm and continues to produce 0.5 inches or more of rain on subsequent days, you must conduct an inspection within 24 hours of the first day of the storm and within 24 hours after the last day of the storm that produces 0.5 inches or more of rain (i.e., only two (2) inspections would be required for such a storm event). When the 24-hour inspection time frame occurs entirely outside of normal working hours, you must conduct an inspection by no later than the end of the next business day.

ii. Inspection frequencies must be conducted at least once every month in areas of the construction site that meet final stabilization or have been temporarily stabilized.

iii. Inspection frequencies for construction sites, where runoff is unlikely due to the occurrence of frozen conditions at the site, must be conducted at least once every month until thawing conditions begin to occur (see definitions for thawing conditions in Part I.B.). The SWP3 must also contain a record of the approximate beginning and ending dates of when frozen conditions occurred at the site, which resulted in inspections being conducted monthly, while those

conditions persisted, instead of at the interval of once every fourteen (14) calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater.

iv. In arid, semi-arid, or drought-stricken areas, inspections must be conducted at least once every month and within 24 hours after the end of a storm event of 0.5 inches or greater. The SWP3 must also contain a record of the total rainfall measured, as well as the approximate beginning and ending dates of when drought conditions occurred at the site, which resulted in inspections being conducted monthly, while those conditions persisted, instead of at the interval of once every fourteen (14) calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater.

v. As an alternative to the inspection schedule in Part III.F.8.(c)i. above, the SWP3 may be developed to require that these inspections will occur at least once every seven (7) calendar days. If this alternative schedule is developed, then the inspection must occur regardless of whether or not there has been a rainfall event since the previous inspection.

vi. The inspection procedures described in Part III.F.8.(c)i. – v above can be performed at the frequencies and under the applicable conditions indicated for each schedule option, provided that the SWP3 reflects the current schedule and that any changes to the schedule are made in accordance with the following provisions: the inspection frequency schedule can only be changed a maximum of once per calendar month and implemented within the first five (5) business days of a calendar month; and the reason for the schedule change documented in the SWP3 (e.g., end of "dry" season and beginning of "wet" season).

(d) Utility line installation, pipeline construction, and other examples of long, narrow, linear construction activities may provide inspection personnel with limited access to the areas described in Part III.F.8.(a) above.

i. Inspection of linear construction sites could require the use of vehicles that could compromise areas of temporary or permanent stabilization, cause additional disturbance of soils, and result in the increase the potential for erosion. In these circumstances, controls must be inspected at least once every fourteen (14) calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater, but representative inspections may be performed.

ii. For representative inspections, personnel must inspect controls along the construction site for 0.25 mile above and below each access point where a roadway, undisturbed right-of-way, or other similar feature intersects the construction site and allows access to the areas described in Part III.F.8.(a) above. The conditions of the controls along each inspected 0.25-mile portion may be considered as representative of the condition of controls along that reach extending from the end of the 0.25-mile portion to either the end of the next 0.25-mile inspected portion, or to the end of the project, whichever occurs first.

As an alternative to the inspection schedule described in Part III.F.8.(c)i. above, the SWP3 may be developed to require that these inspections will occur at least once every seven (7) calendar days. If this alternative schedule is developed, the inspection must occur regardless of whether or not there has been a rainfall event since the previous inspection.

iii. the SWP3 for a linear construction site must reflect the current inspection schedule. Any changes to the inspection schedule must be made in accordance with the following provisions:

(A) the schedule may be changed a maximum of one time each month;

(B) the schedule change must be implemented at the beginning of a calendar month, and

(C) the reason for the schedule change must be documented in the SWP3 (e.g., end of "dry" season and beginning of "wet" season).

(e) Adverse Conditions.

Requirements for inspections 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 the site (e.g., flooding, freezing conditions). Adverse conditions that result in the temporary suspension of a permit requirement to inspect must be documented and included as part of the SWP3. Documentation must include:

i. the date and time of the adverse condition,

ii. names of personnel that witnessed the adverse condition, and

iii. a narrative for the nature of the adverse condition.

(f) In the event of flooding or other adverse conditions which prohibit access to the inspection sites, inspections must be conducted as soon as access is practicable. Inspection Reports.

i. A report summarizing the scope of any inspection must be completed within 24-hours following the inspection. The report must also include the date(s) of the inspection and major observations relating to the implementation of the SWP3. Major observations in the report must include: the locations of where erosion and discharges of sediment or other pollutants from the site have occurred; locations of BMPs that need to be maintained; locations of BMPs that failed to operate as designed or proved inadequate for a particular location; and locations where additional BMPs are needed.

ii. Actions taken as a result of inspections, including the date(s) of actions taken, must be described within, and retained as a part of, the SWP3. Reports must identify any incidents of non-compliance. Where a report does not identify any incidents of non-compliance, the report must contain a certification that the facility or site is in compliance with the SWP3 and this permit. The report must be retained as part of the SWP3 and signed by the person and in the manner required by 30 TAC § 305.128 (relating to Signatories to Reports).

iii. The names and qualifications of personnel making the inspections for the permittee may be documented once in the SWP3 rather than being included in each report.

(g) The SWP3 must be modified based on the results of inspections, as necessary, to better control pollutants in runoff. Revisions to the SWP3 must be completed within seven (7) calendar days following the inspection. If existing BMPs are modified or if additional BMPs are necessary, an implementation schedule must be described in the SWP3 and wherever possible those changes implemented before the next storm event. If implementation before the next anticipated storm event is impracticable, these changes must be implemented as soon as practicable. If necessary, modify your site map to reflect changes to your stormwater controls that are no longer accurately reflected on the current site map.

9. The SWP3 must identify and ensure the implementation of appropriate pollution prevention measures for all eligible non-stormwater components of the discharge, as listed in Part II.A.3. of this permit.

10. The SWP3 must include the information required in Part III.B. of this general permit.

11. The SWP3 must include pollution prevention procedures that comply with Part IV.D. of this general permit.

Part IV. Erosion and Sediment Control Requirements Applicable to All Sites

Except as provided in 40 CFR §§ 125.30-125.32, any discharge regulated under this general permit, with the exception of sites that obtained waivers based on low rainfall erosivity, must achieve, at a minimum, the following effluent limitations representing the degree of effluent reduction attainable by application of the best practicable control technology currently available (BPT). The BPT are also required by and must satisfy the Effluent Limitations Guideline (ELG) permitting requirement for application of 40 CFR § 450.24 New Source Performance Standards (NSPS), 40 CFR § 450.22 Best Available Technology Economically Achievable (BAT), and 40 CFR § 450.23 Best Conventional Pollutant Control Technology (BCT).

Section A. Erosion and Sediment Controls

Design, install, and maintain effective erosion controls and sediment controls to minimize the discharge of pollutants. At a minimum, such controls must be designed, installed, and maintained to:

1. control stormwater volume and velocity within the site to minimize soil erosion in order to minimize pollutant discharges;
2. control stormwater discharges, including both peak flowrates and total stormwater volume, to minimize channel and streambank erosion and scour in the immediate vicinity of discharge point(s);
3. minimize the amount of soil exposed during construction activity;
4. minimize the disturbance of steep slopes;
5. minimize sediment discharges from the site. The design, installation, and maintenance of erosion and sediment controls must address factors such as the amount, frequency, intensity and duration of precipitation, the nature of resulting stormwater runoff, and soil characteristics, including the range of soil particle sizes expected to be present on the site;
6. provide and maintain appropriate natural buffers around surface water in the state. Direct stormwater to vegetated areas and maximize stormwater infiltration to reduce pollutant discharges, unless infeasible. If providing buffers is infeasible, the permittee shall document the reason that natural buffers are infeasible and shall implement additional erosion and sediment controls to reduce sediment load;
7. preserve native topsoil at the site, unless the intended function of a specific area of the site dictates that the topsoil be disturbed or removed, or it is infeasible; and
8. minimize soil compaction. In areas of the construction site where final vegetative stabilization will occur or where infiltration practices will be installed, either:
   (a) restrict vehicle and equipment use to avoid soil compaction; or
   (b) prior to seeding or planting areas of exposed soil that have been compacted, use techniques that condition the soils to support vegetative growth, if necessary and feasible.

   Minimizing soil compaction is not required where the intended function of a specific area of the site dictates that it be compacted.
9. TCEQ does not consider stormwater control features (e.g., stormwater conveyance channels, storm drain inlets, sediment basins) to constitute “surface water” for the purposes of triggering the buffer requirement in Part IV.A.(6) above.

Section B. Soil Stabilization

Stabilization of disturbed areas must, at a minimum, be initiated immediately whenever any clearing, grading, excavating, or other earth disturbing activities have permanently ceased on any portion of the site, or temporarily ceased on any portion of the site and will not resume for a period exceeding fourteen (14) calendar days. In the context of this requirement, "immediately" means as soon as practicable, but no later than the end of the next workday, following the day when the earth-disturbing activities have temporarily or permanently ceased. Temporary stabilization must be completed no more than fourteen (14) calendar days after initiation of soil stabilization measures, and final stabilization must be achieved prior to termination of permit coverage. In arid, semi-arid, and drought-stricken areas where initiating vegetative stabilization measures immediately is infeasible, alternative non-vegetative stabilization measures must be employed as soon as practicable. Refer to Part III.F.2.(b) for complete erosion control and stabilization practice requirements. In limited circumstances, stabilization may not be required if the intended function of a specific area of the site necessitates that it remain disturbed.

Section C. Dewatering

Discharges from dewatering activities, including discharges from dewatering of trenches and excavations, are prohibited, unless managed by appropriate controls to address sediment and prevent erosion. Operators must observe and evaluate the dewatering controls once per day while the dewatering discharge occurs as described in Part III.F.7. of this general permit.

Section D. Pollution Prevention Measures

Design, install, implement, and maintain effective pollution prevention measures to minimize the discharge of pollutants. At a minimum, such measures must be designed, installed, implemented, and maintained to:

1. minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. Wash waters must be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge;
2. minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste, and other materials present on the site to precipitation and to stormwater;
3. minimize the exposure of waste materials by closing waste container lids at the end of the workday and during storm events. For waste containers that do not have lids, where the container itself is not sufficiently secure enough to prevent the discharge of pollutants absent a cover and could leak, the permittee must provide either a cover (e.g., a tarp, plastic sheeting, temporary roof) to minimize exposure of wastes to precipitation, stormwater, and wind, or a similarly effective means designed to minimize the discharge of pollutants (e.g., secondary containment). Minimization of exposure is not required in cases where the exposure to precipitation and to stormwater will not result in a discharge of pollutants, or where exposure of a specific material or product poses little risk of stormwater contamination (such as final products and materials intended for outdoor use);
4. minimize exposure of wastes by implementing good housekeeping measures. Wastes must be cleaned up and disposed of in designated waste containers on days of operation at the site. Wastes must be cleaned up immediately if containers overflow;

5. minimize the discharge of pollutants from spills and leaks and implement chemical spill and leak prevention and response procedures. Where a leak, spill, or other release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity established under either 40 CFR Part 110, 40 CFR Part 117, or 40 CFR Part 302 occurs during a 24-hour period, you must notify the National Response Center (NRC) at (800) 424-8802 in accordance with the requirements of 40 CFR Part 110, 40 CFR Part 117, and 40 CFR Part 302 as soon as you have knowledge of the release. You must also, within seven (7) calendar days of knowledge of the release, provide a description of the release, the circumstances leading to the release, and the date of the release; and
6. minimize exposure of sanitary waste by positioning portable toilets so that they are secure and will not be tipped or knocked over, and so that they are located away from surface water in the state and stormwater inlets or conveyances.

Section E. Prohibited Discharges

The following discharges are prohibited:

1. wastewater from wash out of concrete, unless managed by an appropriate control;
2. wastewater from wash out and cleanout of stucco, paint, form release oils, curing compounds and other construction materials;
3. fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance;
4. soaps or solvents used in vehicle and equipment washing; and
5. toxic or hazardous substances from a spill or other release.

Section F. Surface Outlets

When discharging from basins and impoundments, utilize outlet structures that withdraw water from the surface, unless infeasible. If infeasible, the permittee must provide documentation in the SWP3 to support the determination, including the specific conditions or time periods when this exception will apply.

Part V. Stormwater Runoff from Concrete Batch Plants

Discharges of stormwater runoff from concrete batch plants present at regulated construction sites and operated as a construction support activity may be authorized under the provisions of this general permit, provided that the following requirements are met for concrete batch plant(s) authorized under this permit. Only the discharges of stormwater runoff and non-stormwater from concrete batch plants that meet the requirements of a construction support activity can be authorized under this permit (see the requirements for "Non-Stormwater Discharges" in Part II.A.3. and "Discharges of Stormwater Associated with Construction Support Activity" in Part II.A.2.).

If discharges of stormwater runoff or non-stormwater from concrete batch plants are not authorized under this general permit, then discharges must be authorized under an alternative general permit or individual permit [see the requirement in Part II.A.2.(c)].

This permit does not authorize the discharge or land disposal of any wastewater from concrete batch plants at regulated construction sites. Authorization for these wastes must be obtained under an individual permit or an alternative general permit.

Section A. Benchmark Sampling Requirements

1. Operators of concrete batch plants authorized under this general permit shall sample the stormwater runoff from the concrete batch plants according to the requirements of this section of this general permit, and must conduct evaluations on the effectiveness of the SWP3 based on the following benchmark monitoring values:

Table 1. Benchmark Parameters

Benchmark Parameter	Benchmark Value	Sampling Frequency	Sample Type
Oil and Grease (*1)	15 mg/L	1/quarter (*2) (*3)	Grab (*4)
Total Suspended Solids (*1)	50 mg/L	1/quarter (*2) (*3)	Grab (*4)
pH	6.0 – 9.0 Standard Units	1/quarter (*2) (*3)	Grab (*4)
Total Iron (*1)	1.3 mg/L	1/quarter (*2) (*3)	Grab (*4)

(*1) All analytical results for these parameters must be obtained from a laboratory that is accredited based on rules located in 30 TAC § 25.4 (a) or through the National Environmental Laboratory Accreditation Program (NELAP). Analysis must be performed using sufficiently sensitive methods for analysis that comply with the rules located in 40 CFR §§ 136.1(c) and 122.44(i)(1)(iv).

(*2) When discharge occurs. Sampling is required within the first 30 minutes of discharge. If it is not practicable to take the sample, or to complete the sampling, within the first 30 minutes, 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.

(*3) Sampling must be conducted at least once during each of the following periods. The first sample must be collected during the first full quarter that a stormwater discharge occurs from a concrete batch plant authorized under this general permit.

January through March
April through June
July through September
October through December

For projects lasting less than one full quarter, a minimum of one sample shall be collected, provided that a stormwater discharge occurred at least once following submission of the NOI or following the date that automatic authorization was obtained under Part II.E.2., and prior to terminating coverage.

(*4) A grab sample shall be collected from the stormwater discharge resulting from a storm event that is at least 0.1 inches of measured precipitation that occurs at least 72 hours from the previously measurable storm event. The sample shall be collected downstream of the concrete batch plant, and where the discharge exits any BMPs utilized to handle the runoff from the batch plant, prior to commingling with any other water authorized under this general permit.

2. The permittee must compare the results of sample analyses to the benchmark values above, and must 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. Results of analyses are indicators that modifications of the SWP3 should be assessed and may be necessary to protect water quality. The operator must investigate the cause for each exceedance and must document the results of this investigation in the SWP3 by the end of the quarter following the sampling event.

   The operator's investigation must identify the following:

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

   (b) necessary revisions to good housekeeping measures that are part of the SWP3;

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

   (d) other parts of the SWP3 that may require revisions in order to meet the goal of the benchmark values.

   Background concentrations of specific pollutants may also be considered during the investigation. If the operator is able to relate the cause of the exceedance to background concentrations, then subsequent exceedances of benchmark values for that pollutant may be resolved by referencing earlier findings in the SWP3. Background concentrations may be identified by laboratory analyses of samples of stormwater run-on to the permitted facility, by laboratory analyses of samples of stormwater run-off from adjacent non-industrial areas, or by identifying the pollutant is a naturally occurring material in soils at the site.

Section B. Best Management Practices (BMPs) and SWP3 Requirements

Minimum SWP3 Requirements – The following are required in addition to other SWP3 requirements listed in this general permit, which include, but are not limited to the applicable requirements located in Part III.F.8. of this general permit, as follows:

1. Description of Potential Pollutant Sources – The SWP3 must provide a description of potential sources (activities and materials) that can cause, have a reasonable potential to cause or contribute to a violation of water quality standards or have been found to cause, or contribute to, the loss of a designated use of surface water in the state in stormwater discharges associated with concrete batch plants authorized under this permit. The SWP3 must describe the implementation of practices that will be used to minimize to the extent practicable the discharge of pollutants in stormwater discharges associated with industrial activity and non-stormwater discharges (described in Part II.A.3. of this general permit), in compliance with the terms and conditions of this general permit, including the protection of water quality, and must ensure the implementation of these practices.

   The following must be developed, at a minimum, in support of developing this description:

   (a) Drainage – The site map must include the following information:

      i. the location of all outfalls for stormwater discharges associated with concrete batch plants that are authorized under this permit;

      ii. a depiction of the drainage area and the direction of flow to the outfall(s);

      iii. structural controls used within the drainage area(s);

iv. the locations of the following areas associated with concrete batch plants that are exposed to precipitation: vehicle and equipment maintenance activities (including fueling, repair, and storage areas for vehicles and equipment scheduled for maintenance); areas used for the treatment, storage, or disposal of wastes; liquid storage tanks; material processing and storage areas; and loading and unloading areas; and

v. the locations of the following: any bag house or other dust control device(s); recycle/sedimentation pond, clarifier or other device used for the treatment of facility wastewater (including the areas that drain to the treatment device); areas with significant materials; and areas where major spills or leaks have occurred.

(b) Inventory of Exposed Materials – A list of materials handled at the concrete batch plant that may be exposed to stormwater and precipitation and that have a potential to affect the quality of stormwater discharges associated with concrete batch plants that are authorized under this general permit.

(c) Spills and Leaks – A list of significant spills and leaks of toxic or hazardous pollutants that occurred in areas exposed to stormwater and precipitation and that drain to stormwater outfalls associated with concrete batch plants authorized under this general permit must be developed, maintained, and updated as needed.

(d) Sampling Data – A summary of existing stormwater discharge sampling data must be maintained, if available.

2. Measures and Controls – The SWP3 must include a description of management controls to regulate pollutants identified in the SWP3's "Description of Potential Pollutant Sources" from Part V.B.1. of this permit, and a schedule for implementation of the measures and controls. This must include, at a minimum:

(a) Good Housekeeping – Good housekeeping measures must be developed and implemented in the area(s) associated with concrete batch plants.

i. Operators must prevent or minimize the discharge of spilled cement, aggregate (including sand or gravel), settled dust, or other significant materials from paved portions of the site that are exposed to stormwater. Measures used to minimize the presence of these materials may include regular sweeping or other equivalent practices. These practices must be conducted at a frequency that is determined based on consideration of the amount of industrial activity occurring in the area and frequency of precipitation, and shall occur at least once per week when cement or aggregate is being handled or otherwise processed in the area.

ii. Operators must prevent the exposure of fine granular solids, such as cement, to stormwater. Where practicable, these materials must be stored in enclosed silos, hoppers or buildings, in covered areas, or under covering.

(b) Spill Prevention and Response Procedures – Areas where potential spills that can contribute pollutants to stormwater runoff and precipitation, and the drainage areas from these locations, must be identified in the SWP3. Where appropriate, the SWP3 must specify material handling procedures, storage requirements, and use of equipment. Procedures for cleaning up spills must be identified in the SWP3 and made available to the appropriate personnel.

(c) Inspections – Qualified facility personnel (i.e., a person or persons with knowledge of this general permit, the concrete batch plant, and the SWP3 related to the concrete batch plant(s) for the site) must be identified to inspect designated equipment and areas of the facility specified in the SWP3. Personnel conducting these inspections are not required to have signatory authority for inspection reports under 30 TAC § 305.128. Inspections of facilities in operation must be performed

once every seven (7) days. Inspections of facilities that are not in operation must be performed at a minimum of once per month. The current inspection frequency being implemented at the facility must be recorded in the SWP3. The inspection must take place while the facility is in operation and must, at a minimum, include all areas that are exposed to stormwater at the site, including material handling areas, above ground storage tanks, hoppers or silos, dust collection/containment systems, truck wash down and equipment cleaning areas. Follow-up procedures must be used to ensure that appropriate actions are taken in response to the inspections. Records of inspections must be maintained and be made readily available for inspection upon request.

(d) Employee Training – An employee training program must be developed to educate personnel responsible for implementing any component of the SWP3, or personnel otherwise responsible for stormwater pollution prevention, with the provisions of the SWP3. The frequency of training must be documented in the SWP3, and at a minimum, must consist of one (1) training prior to the initiation of operation of the concrete batch plant.

(e) Record Keeping and Internal Reporting Procedures – A description of spills and similar incidents, plus additional information that is obtained regarding the quality and quantity of stormwater discharges, must be included in the SWP3. Inspection and maintenance activities must be documented and records of those inspection and maintenance activities must be incorporated in the SWP3.

(f) Management of Runoff – The SWP3 shall contain a narrative consideration for reducing the volume of runoff from concrete batch plants by diverting runoff or otherwise managing runoff, including use of infiltration, detention ponds, retention ponds, or reusing of runoff.

3. Comprehensive Compliance Evaluation – At least once per year, one or more qualified personnel (i.e., a person or persons with knowledge of this general permit, the concrete batch plant, and the SWP3 related to the concrete batch plant(s) for the site) shall conduct a compliance evaluation of the plant. The evaluation must include the following:

(a) visual examination of all areas draining stormwater associated with regulated concrete batch plants for evidence of, or the potential for, pollutants entering the drainage system. These include, but are not limited to: cleaning areas, material handling areas, above ground storage tanks, hoppers or silos, dust collection/containment systems, and truck wash down and equipment cleaning areas. Measures implemented to reduce pollutants in runoff (including structural controls and implementation of management practices) must be evaluated to determine if they are effective and if they are implemented in accordance with the terms of this permit and with the permittee's SWP3. The operator shall conduct a visual inspection of equipment needed to implement the SWP3, such as spill response equipment.

(b) based on the results of the evaluation, the following must be revised as appropriate within two (2) weeks of the evaluation: the description of potential pollutant sources identified in the SWP3 (as required in Part V.B.1., "Description of Potential Pollutant Sources"); and pollution prevention measures and controls identified in the SWP3 (as required in Part V.B.2., "Measures and Controls"). The revisions may include a schedule for implementing the necessary changes.

(c) the permittee shall prepare and include in the SWP3 a report summarizing the scope of the evaluation, the personnel making the evaluation, the date(s) of the evaluation, major observations relating to the implementation of the SWP3, and actions taken in response to the findings of the evaluation. The report must identify any incidents of noncompliance. Where the report does not identify incidences of noncompliance, the report must contain a statement that the evaluation did not identify any

incidence(s), and the report must be signed according to 30 TAC § 305.128 (relating to Signatories to Reports).

(d) the Comprehensive Compliance Evaluation may substitute for one of the required inspections delineated in Part V.B.2.(c) of this general permit.

Section C. Prohibition of Wastewater Discharges

Wastewater discharges associated with concrete production including wastewater disposal by land application are not authorized under this general permit. These wastewater discharges must be authorized under an alternative TCEQ water quality permit or otherwise disposed of in an authorized manner. Discharges of concrete truck wash out at construction sites may be authorized if conducted in accordance with the requirements of Part VI of this general permit.

Part VI. Concrete Truck Wash Out Requirements

This general permit authorizes the land disposal of wash out from concrete trucks at construction sites regulated under this general permit, provided the following requirements are met. Any discharge of concrete production wastewater to surface water in the state must be authorized under a separate TCEQ general permit or individual permit.

A. Discharge of concrete truck wash out water to surface water in the state, including discharge to storm sewers, is prohibited by this general permit.

B. Concrete truck wash out water shall be disposed in areas at the construction site where structural controls have been established to prevent discharge to surface water in the state, or to areas that have a minimal slope that allow infiltration and filtering of wash out water to prevent discharge to surface water in the state. Structural controls may consist of temporary berms, temporary shallow pits, temporary storage tanks with slow rate release, or other reasonable measures to prevent runoff from the construction site.

C. Wash out of concrete trucks during rainfall events shall be minimized. The discharge of concrete truck wash out water is prohibited at all times, and the operator shall insure that its BMPs are sufficient to prevent the discharge of concrete truck wash out as the result of rainfall or stormwater runoff.

D. The disposal of wash out water from concrete trucks, made under authorization of this general permit must not cause or contribute to groundwater contamination.

E. If a SWP3 is required to be implemented, the SWP3 shall include concrete wash out areas on the associated site map.

Part VII. Retention of Records

The permittee must retain the following records for a minimum period of three (3) years from the date that a NOT is submitted as required in Part II.F.1. and 2. of this permit. For activities in which an NOT is not required, records shall be retained for a minimum period of three (3) years from the date that the operator terminates coverage under Section II.F.3. of this permit. Records include:

A. a copy of the SWP3;

B. all reports and actions required by this permit, including a copy of the TCEQ construction site notice;

C. all data used to complete the NOI, if an NOI is required for coverage under this general permit; and

D. all records of submittal of forms submitted to the operator of any MS4 receiving the discharge and to the secondary operator of a large construction site, if applicable.

Part VIII. Standard Permit Conditions

A. The permittee has a duty to comply with all permit conditions. Failure to comply with any permit condition is a violation of the permit and statutes under which it was issued (CWA and TWC), and is grounds for enforcement action, for terminating, revoking and reissuance, or modification, or denying coverage under this general permit, or for requiring a discharger to apply for and obtain an individual TPDES permit, based on rules located in TWC § 23.086, 30 TAC § 305.66, and 40 CFR § 122.41 (a).

B. Authorization under this general permit may be modified, suspended, revoked and reissued, terminated or otherwise suspended for cause, based on rules located in TWC § 23.086, 30 TAC § 305.66, and 40 CFR § 122.41(f). Filing a notice of planned changes or anticipated non-compliance by the permittee does not stay any permit condition. The permittee must furnish to the executive director, upon request and within a reasonable time, any information necessary for the executive director to determine whether cause exists for modifying, revoking and reissuing, terminating or, otherwise suspending authorization under this permit, based on rules located in TWC § 23.086, 30 TAC § 305.66, and 40 CFR § 122.41 (h). Additionally, the permittee must provide to the executive director, upon request, copies of all records that the permittee is required to maintain as a condition of this general permit.

C. It is not a defense for a discharger in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with the permit conditions.

D. Inspection and entry shall be allowed under TWC Chapters 26-28, Texas Health and Safety Code §§ 361.032-361.033 and 361.037, and 40 CFR § 122.41(i). The statement in TWC § 26.014 that commission entry of a facility shall occur according to an establishment's rules and regulations concerning safety, internal security, and fire protection is not grounds for denial or restriction of entry to any part of the facility or site, but merely describes the commission's duty to observe appropriate rules and regulations during an inspection.

E. The discharger is subject to administrative, civil, and criminal penalties, as applicable, under TWC Chapter 7 for violations including but not limited to the following:

1. negligently or knowingly violating the federal CWA §§ 301, 302, 306, 307, 308, 318, or 405, or any condition or limitation implementing any sections in a permit issued under CWA § 402, or any requirement imposed in a pretreatment program approved under CWA §§ 402(a)(3) or 402(b)(8);
2. knowingly making any false statement, representation, or certification in any record or other document submitted or required to be maintained under a permit, including monitoring reports or reports of compliance or noncompliance; and
3. knowingly violating CWA §303 and placing another person in imminent danger of death or serious bodily injury.

F. All reports and other information 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).

G. Authorization under this general permit does not convey property or water rights of any sort and does not grant any exclusive privilege.

H. The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

I. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems that are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

J. The permittee shall comply with the monitoring and reporting requirements in 40 CFR § 122.41(j) and (l), as applicable.

K. Analysis must be performed using sufficiently sensitive methods for analysis that comply with the rules located in 40 CFR §§ 136.1(c) and 122.44(i)(1)(iv).

Part IX. Fees

A. A fee of must be submitted along with the NOI:

1. $225 if submitting an NOI electronically, or
2. $325 if submitting a paper NOI.

B. Fees are due upon submission of the NOI. An NOI will not be declared administratively complete unless the associated fee has been paid in full.

C. No separate annual fees will be assessed for this general permit. The Water Quality Annual Fee has been incorporated into the NOI fees as described above.

Appendix A: Automatic Authorization

Periods of Low Erosion Potential by County – Eligible Date Ranges

Andrews: Nov. 15 - Apr. 30

Archer: Dec. 15 - Feb. 14

Armstrong: Nov. 15 - Apr. 30

Bailey: Nov. 1 - Apr. 30, or Nov. 15 - May 14

Baylor: Dec. 15 - Feb. 14

Borden: Nov. 15 - Apr. 30

Brewster: Nov. 15 - Apr. 30

Briscoe: Nov. 15 - Apr. 30

Brown: Dec. 15 - Feb. 14

Callahan: Dec. 15 - Feb. 14

Carson: Nov. 15 - Apr. 30

Castro: Nov. 15 - Apr. 30

Childress: Dec. 15 - Feb. 14

Cochran: Nov. 1 - Apr. 30, or Nov. 15 - May 14

Coke: Dec. 15 - Feb. 14

Coleman: Dec. 15 - Feb. 14

Collingsworth: Jan. 1 - Mar. 30, or Dec. 1 - Feb. 28

Concho: Dec. 15 - Feb. 14

Cottle: Dec. 15 - Feb. 14

Crane: Nov. 15 - Apr. 30

Crockett: Nov. 15 - Jan. 14, or Feb. 1 - Mar. 30

Crosby: Nov. 15 - Apr. 30

Culberson: Nov. 1 - May 14

Dallam: Nov. 1 - Apr. 14, or Nov. 15 - Apr. 30

Dawson: Nov. 15 - Apr. 30

Deaf Smith: Nov. 15 - Apr. 30

Dickens: Nov. 15 - Jan. 14, or Feb. 1 - Mar. 30

Dimmit: Dec. 15 - Feb. 14

Donley: Jan. 1 - Mar. 30, or Dec. 1 - Feb. 28

Eastland: Dec. 15 - Feb. 14

Ector: Nov. 15 - Apr. 30

Edwards: Dec. 15 - Feb. 14

El Paso: Jan. 1 - Jul. 14, or May 15 - Jul. 31, or Jun. 1 - Aug. 14, or Jun. 15 - Sept. 14, or Jul. 1 - Oct. 14, or Jul. 15 - Oct. 31, or Aug. 1 - Apr. 30, or Aug. 15 - May 14, or Sept. 1 - May 30, or Oct. 1 - Jun. 14, or Nov. 1 - Jun. 30, or Nov. 15 - Jul. 14

Fisher: Dec. 15 - Feb. 14

Floyd: Nov. 15 - Apr. 30

Foard: Dec. 15 - Feb. 14

Gaines: Nov. 15 - Apr. 30

Garza: Nov. 15 - Apr. 30

Glasscock: Nov. 15 - Apr. 30

Hale: Nov. 15 - Apr. 30

Hall: Feb. 1 - Mar. 30

Hansford: Nov. 15 - Apr. 30

Hardeman: Dec. 15 - Feb. 14

Hartley: Nov. 15 - Apr. 30

Haskell: Dec. 15 - Feb. 14

Hockley: Nov. 1 - Apr. 14, or Nov. 15 - Apr. 30

Howard: Nov. 15 - Apr. 30

Hudspeth: Nov. 1 - May 14

Hutchinson: Nov. 15 - Apr. 30

Irion: Dec. 15 - Feb. 14

Jeff Davis: Nov. 1 - Apr. 30 or Nov. 15 - May 14

Jones: Dec. 15 - Feb. 14

Kent: Nov. 15 - Jan. 14 or Feb. 1 - Mar. 30

Kerr: Dec. 15 - Feb. 14

Kimble: Dec. 15 - Feb. 14

King: Dec. 15 - Feb. 14

Kinney: Dec. 15 - Feb. 14

Knox: Dec. 15 - Feb. 14

Lamb: Nov. 1 - Apr. 14, or Nov. 15 - Apr. 30

Loving: Nov. 1 - Apr. 30, or Nov. 15 - May 14

Lubbock: Nov. 15 - Apr. 30

Lynn: Nov. 15 - Apr. 30

Martin: Nov. 15 - Apr. 30

Mason: Dec. 15 - Feb. 14

Maverick: Dec. 15 - Feb. 14

McCulloch: Dec. 15 - Feb. 14

Menard: Dec. 15 - Feb. 14

Midland: Nov. 15 - Apr. 30

Mitchell: Nov. 15 - Apr. 30

Moore: Nov. 15 - Apr. 30

Motley: Nov. 15 - Jan. 14, or Feb. 1 - Mar. 30

Nolan: Dec. 15 - Feb. 14

Oldham: Nov. 15 - Apr. 30

Parmer: Nov. 1 - Apr. 14, or Nov. 15 - Apr. 30
Pecos: Nov. 15 - Apr. 30
Potter: Nov. 15 - Apr. 30
Presidio: Nov. 1 - Apr. 30, or Nov. 15 - May 14
Randall: Nov. 15 - Apr. 30
Reagan: Nov. 15 - Apr. 30
Real: Dec. 15 - Feb. 14
Reeves: Nov. 1 - Apr. 30, or Nov. 15 - May 14
Runnels: Dec. 15 - Feb. 14
Schleicher: Dec. 15 - Feb. 14
Scurry: Nov. 15 - Apr. 30
Shackelford: Dec. 15 - Feb. 14
Sherman: Nov. 15 - Apr. 30
Stephens: Dec. 15 - Feb. 14
Sterling: Nov. 15 - Apr. 30
Stonewall: Dec. 15 - Feb. 14
Sutton: Dec. 15 - Feb. 14
Swisher: Nov. 15 - Apr. 30
Taylor: Dec. 15 - Feb. 14
Terrell: Nov. 15 - Apr. 30
Terry: Nov. 15 - Apr. 30
Throckmorton: Dec. 15 - Feb. 14
Tom Green: Dec. 15 - Feb. 14
Upton: Nov. 15 - Apr. 30
Uvalde: Dec. 15 - Feb. 14
Val Verde: Nov. 15 - Jan. 14, or Feb. 1 - Mar. 30
Ward: Nov. 1 - Apr. 14, or Nov. 15 - Apr. 30
Wichita: Dec. 15 - Feb. 14
Wilbarger: Dec. 15 - Feb. 14
Winkler: Nov. 1 - Apr. 30, or Nov. 15 - May 14
Yoakum: Nov. 1 - Apr. 30, or Nov. 15 - May 14
Young: Dec. 15 - Feb. 14
Wheeler: Jan. 1 - Mar. 30, or Dec. 1 - Feb. 28
Zavala: Dec. 15 - Feb. 14

Appendix B: Storm Erosivity (EI) Zones in Texas

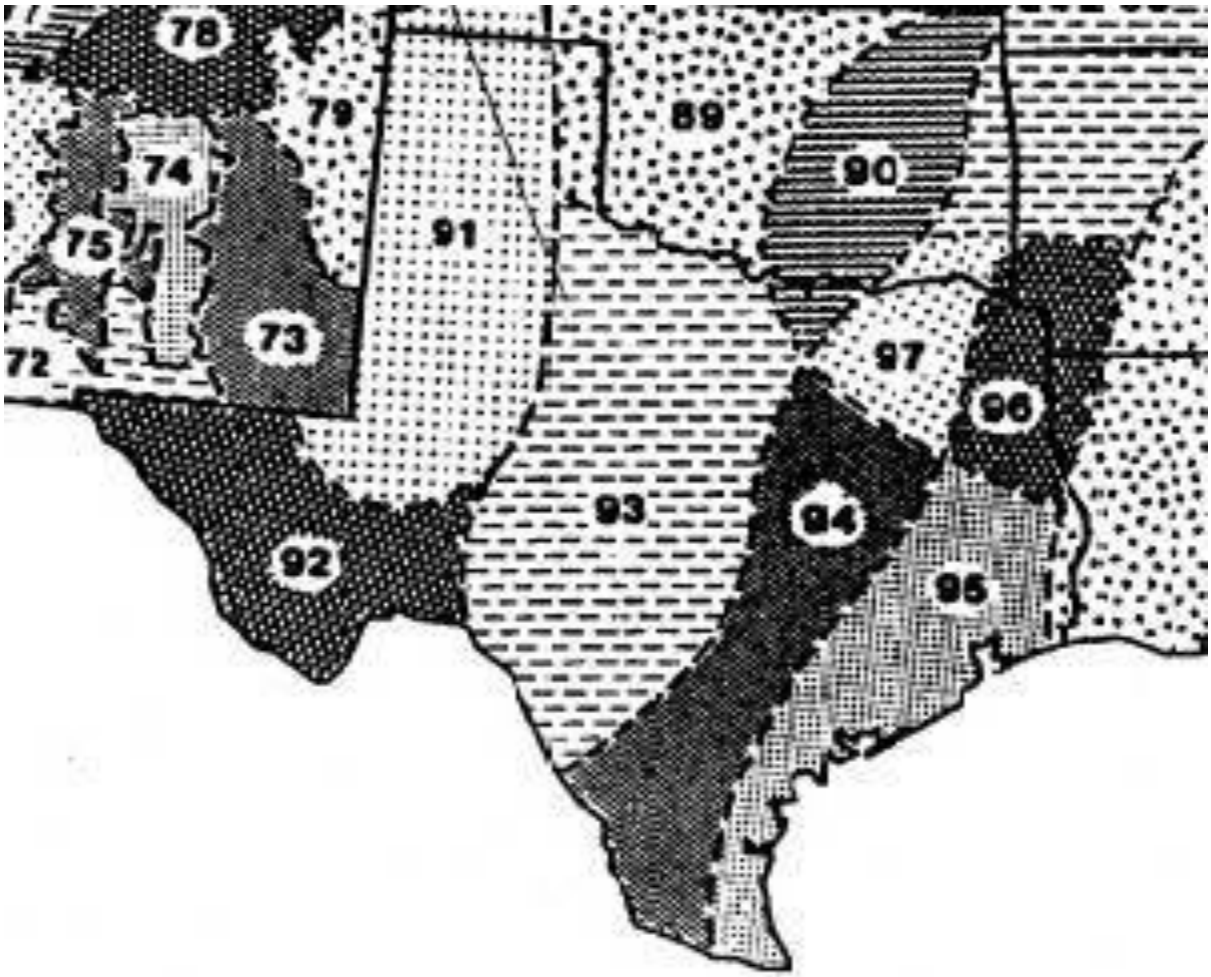


Figure B. EI Distribution Zones

Adapted from Chapter 2 of USDA Agriculture Handbook 703: "Predicting Soil Erosion by Water: A Guide to Conservation Planning With the Revised Universal Soil Loss Equation (RUSLE)," U.S. Department of Agriculture, Agricultural Research Service

Appendix C: Isoerodent Map

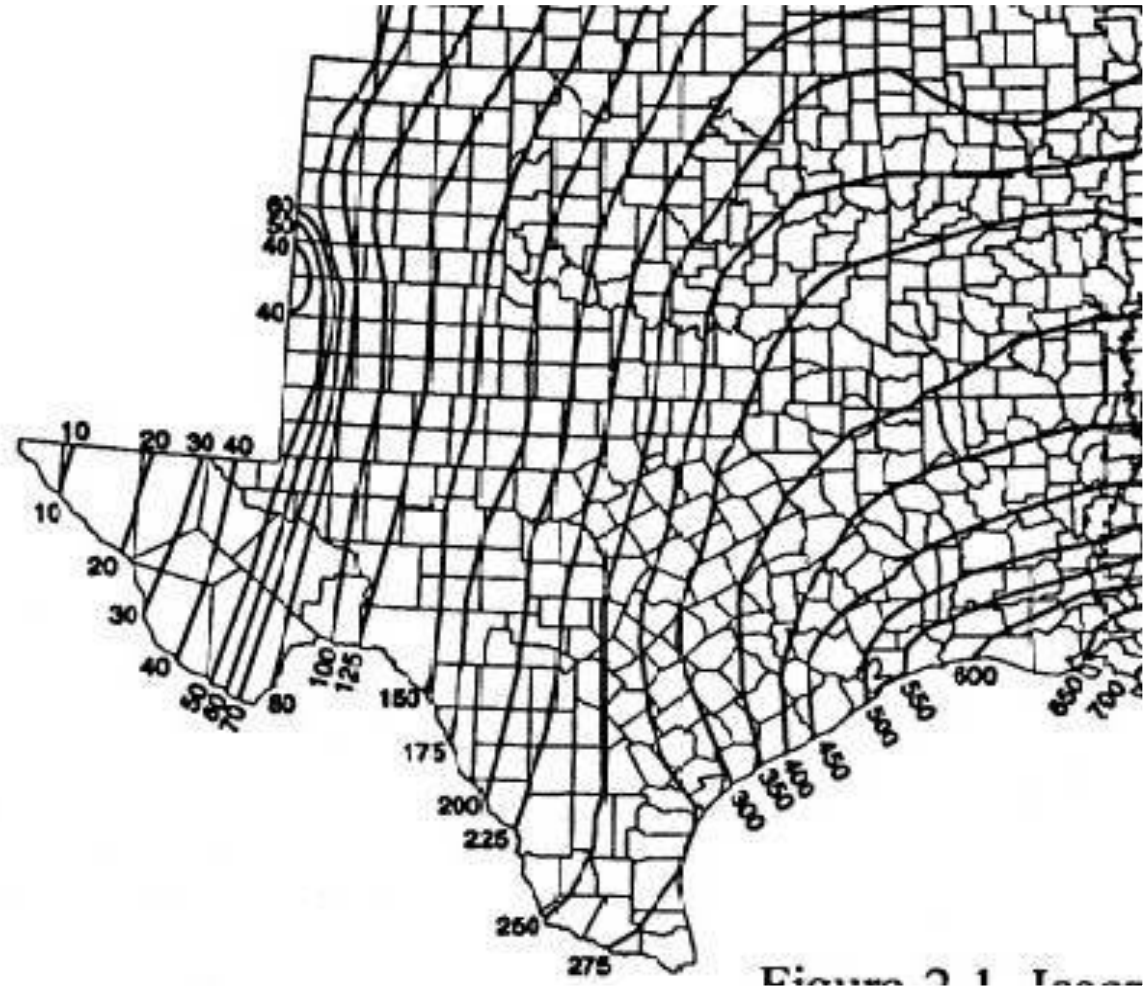


Figure C. Isoerodent Map of Texas. Units are hundreds ft*tonf*in(ac*h*yr)$^{-1}$

Adapted from Chapter 2 of USDA Agriculture Handbook 703: "Predicting Soil Erosion by Water: A Guide to Conservation Planning With the Revised Universal Soil Loss Equation (RUSLE)," U.S. Department of Agriculture, Agricultural Research Service

Appendix D: Erosivity Indices for EI Zones in Texas

Table D. EI as percentage of average annual computed selected geographic areas (EI number) by date period (month/day).

Date Periods* (Month/Day)

EI #	1/1	1/16	1/31	2/15	3/1	3/16	3/31	4/15	4/30	5/15	5/30	6/14	6/29	7/14	7/29	8/13	8/28	9/12	9/27	10/12	10/27	11/11	11/26	12/11	12/31
89	0	1	1	2	3	4	7	2	8	27	38	48	55	62	69	76	83	90	94	97	98	99	100	100	100
90	0	1	2	3	4	6	8	13	21	29	37	46	54	60	65	69	74	81	87	92	95	97	98	99	100
91	0	0	0	0	1	1	1	2	6	16	29	39	46	53	60	67	74	81	88	95	99	99	100	100	100
92	0	0	0	0	1	1	1	2	6	16	29	39	46	53	60	67	74	81	88	95	99	99	100	100	100
93	0	1	1	2	3	4	6	8	13	25	40	49	56	62	67	72	76	80	85	91	97	98	99	99	100
94	0	1	2	4	6	8	10	15	21	29	38	47	53	57	61	65	70	76	83	88	91	94	96	98	100
95	0	1	3	5	7	9	11	14	18	27	35	41	46	51	57	62	68	73	79	84	89	93	96	98	100
96	0	2	4	6	9	12	17	23	30	37	43	49	54	58	62	66	70	74	78	82	86	90	94	97	100
97	0	1	3	5	7	10	14	20	28	37	48	56	61	64	68	72	77	81	86	89	92	95	98	99	100
106	0	3	6	9	13	17	21	27	33	38	44	49	55	61	67	71	75	78	81	84	86	90	94	97	100

*Each period begins on the date listed in the table above and lasts until the day before the following period. The final period begins on December 11 and ends on December 31.

Table adapted from Chapter 2 of USDA Agriculture Handbook 703: "Predicting Soil Erosion by Water: A Guide to Conservation Planning With the Revised Universal Soil Loss Equation (RUSLE)," U.S. Department of Agriculture, Agricultural Research Service.

Appendix B
Project Documentation including (as applicable):
Schedule of Activities (with estimated start dates and duration)
Certification Statement
Construction Site Notice
Notice of Intent
Notice of Change
Notice of Termination

Schedule of Activities

Below is a high-level schedule based on the secured outages for Marshall Ford to McNeil:

Construction Start – 10/1/23
Construction Finish – 6/30/24

Certification Statement

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

I further certify that I am authorized to sign this report under TCEQ rules at 30 TAC §305.128 (relating to Signatories to Reports). I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Sign as required by 30 TAC §305.128(a).

Signed: _____ Date: _____

TRC Government Services

Certification Statement

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

I further certify that I am authorized to sign this report under TCEQ rules at 30 TAC §305.128 (relating to Signatories to Reports). I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Sign as required by 30 TAC §305.128(a).

Signed: _____ Date: _____

Contractor

Dates of Major Grading Activities

Date	Nature of Major Grading Activity

Cessation of Construction Activities

The following table lists when construction activities temporarily or permanently cease on the project, and if they resume.

Date	Activity / Describe stabilization measures
Cease:	
Resume:	
Cease:	
Resume:	
Cease:	
Resume:	

Stabilization

The following are date(s) when stabilization measures are initiated (if natural vegetation buffer is achieved, then document below):

Initiation of Stabilization Measures

Date	Stabilization measure initiated

Revisions to the SWPPP

If the SWPPP has been revised (i.e. due to change in design, construction, operation, or maintenance that had an effect on discharge of pollutants), list below.

Date	Section	Revision

Revisions to the SWPPP (cont.…)

If the SWPPP has been revised (i.e. due to change in design, construction, operation, or maintenance that had an effect on discharge of pollutants), list below.

Project Dates

Activity	Date (TRC)	Date (Contractor)
NOI Submitted to TCEQ		
NOI Submitted to MS4		
Construction Site Notice Posted in readily available location		
Clearing/Installation of BMPs Start Date		
Construction Start Date		
Construction Completion Date		
Final Stabilization Achieved		
NOT Submitted to TCEQ		
NOT Submitted to MS4		

Appendix C
Copies of Inspection Reports and Inspector Qualifications

Application Fee Form

RECEIVED
2 8 2023
TCEQ/Revenue Section
VT

Texas Commission on Environmental Quality

Name of Proposed Regulated Entity: Camp Bullis Military Service Station

Regulated Entity Location: East side of Camp Bullis Rd. at its intersection with Lewis Valley Rd. (LAT 29.644430 / LONG -98.575400)

Name of Customer: TRC Government Services LLC

Contact Person: Rick Grossman Phone: 918-629-7700

Customer Reference Number (if issued):CN _____

Regulated Entity Reference Number (if issued):RN _____

Austin Regional Office (3373)

☐ Hays ☐ Travis ☐ Williamson

San Antonio Regional Office (3362)

☒ Bexar ☐ Medina ☐ Uvalde

☐ Comal ☐ Kinney

Application fees must be paid by check, certified check, or money order, payable to the **Texas Commission on Environmental Quality.** Your canceled check will serve as your receipt. **This form must be submitted with your fee payment.** This payment is being submitted to:

☐ Austin Regional Office

☐ Mailed to: TCEQ - Cashier
Revenues Section
Mail Code 214
P.O. Box 13088
Austin, TX 78711-3088

☐ San Antonio Regional Office

☒ Overnight Delivery to: TCEQ - Cashier
12100 Park 35 Circle
Building A, 3rd Floor
Austin, TX 78753
(512)239-0357

Site Location (Check All That Apply):

☐ Recharge Zone ☒ Contributing Zone ☐ Transition Zone

Type of Plan	*Size*	*Fee Due*
Water Pollution Abatement Plan, Contributing Zone Plan: One Single Family Residential Dwelling	Acres	$
Water Pollution Abatement Plan, Contributing Zone Plan: Multiple Single Family Residential and Parks	Acres	$
Water Pollution Abatement Plan, Contributing Zone Plan: Non-residential	Acres	$
Sewage Collection System	L.F.	$
Lift Stations without sewer lines	Acres	$
Underground or Aboveground Storage Tank Facility	3 Tanks	$ 1950
Piping System(s)(only)	Each	$
Exception	Each	$
Extension of Time	Each	$

Extension of Time Requests

Project	*Fee*
Extension of Time Request	$150

TCEQ CORE DATA FORM

TCEQ Use Only

TCEQ Core Data Form

For detailed instructions on completing this form, please read the Core Data Form Instructions or call 512-239-5175.

SECTION I: General Information

1. Reason for Submission *(If other is checked please describe in space provided.)*

☒ New Permit, Registration or Authorization *(Core Data Form should be submitted with the program application.)*

☐ Renewal *(Core Data Form should be submitted with the renewal form)*

☐ Other

2. Customer Reference Number *(if issued)*	Follow this link to search for CN or RN numbers in Central Registry**	3. Regulated Entity Reference Number *(if issued)*
CN 606118735		RN 111704698

SECTION II: Customer Information

4. General Customer Information

5. Effective Date for Customer Information Updates (mm/dd/yyyy)

☐ New Customer ☐ Update to Customer Information ☐ Change in Regulated Entity Ownership

☐ Change in Legal Name (Verifiable with the Texas Secretary of State or Texas Comptroller of Public Accounts)

The Customer Name submitted here may be updated automatically based on what is current and active with the Texas Secretary of State (SOS) or Texas Comptroller of Public Accounts (CPA).

6. Customer Legal Name *(If an individual, print last name first: eg: Doe, John)*

If new Customer, enter previous Customer below:

TRC Government Services, LLC

7. TX SOS/CPA Filing Number	8. TX State Tax ID (11 digits)	9. Federal Tax ID (9 digits)	10. DUNS Number *(if applicable)*
0804865199	32087722867		

11. Type of Customer: ☒ Corporation ☐ Individual Partnership: ☐ General ☐ Limited

Government: ☐ City ☐ County ☐ Federal ☐ Local ☐ State ☐ Other ☐ Sole Proprietorship ☐ Other:

12. Number of Employees

☐ 0-20 ☒ 21-100 ☐ 101-250 ☐ 251-500 ☐ 501 and higher

13. Independently Owned and Operated?

☐ Yes ☒ No

14. Customer Role (Proposed or Actual) – *as it relates to the Regulated Entity listed on this form. Please check one of the following*

☐ Owner ☒ Operator ☐ Owner & Operator

☐ Occupational Licensee ☐ Responsible Party ☐ VCP/BSA Applicant ☐ Other:

15. Mailing Address:	2087 EAST 71ST STREET						
	City	TULSA	State	OK	ZIP	74136	ZIP + 4

16. Country Mailing Information *(if outside USA)*	17. E-Mail Address *(if applicable)*
	RGROSSMAN@TRCCOMPANIES.COM

18. Telephone Number	19. Extension or Code	20. Fax Number *(if applicable)*

(918) 496-0400		(860) 298-6380

SECTION III: Regulated Entity Information

21. General Regulated Entity Information *(If 'New Regulated Entity" is selected, a new permit application is also required.)*

☐ New Regulated Entity ☐ Update to Regulated Entity Name ☒ Update to Regulated Entity Information

The Regulated Entity Name submitted may be updated, in order to meet TCEQ Core Data Standards (removal of organizational endings such as Inc, LP, or LLC).

22. Regulated Entity Name *(Enter name of the site where the regulated action is taking place.)*

CAMP BULLIS COCO

23. Street Address of the Regulated Entity: ***(No PO Boxes)***	21400 CAMP BULLIS ROAD B5035							
	City	CAMP BULLIS	**State**	TX	**ZIP**	78257	**ZIP + 4**	
24. County	BEXAR							

If no Street Address is provided, fields 25-28 are required.

25. Description to Physical Location:					
26. Nearest City			**State**	**Nearest ZIP Code**	
CAMP BULLIS			TX	78257	

Latitude/Longitude are required and may be added/updated to meet TCEQ Core Data Standards. (Geocoding of the Physical Address may be used to supply coordinates where none have been provided or to gain accuracy).

27. Latitude (N) In Decimal:	29.644557		**28. Longitude (W) In Decimal:**	-98.575186	
Degrees	Minutes	Seconds	Degrees	Minutes	Seconds

29. Primary SIC Code (4 digits)	**30. Secondary SIC Code** (4 digits)	**31. Primary NAICS Code** (5 or 6 digits)	**32. Secondary NAICS Code** (5 or 6 digits)
5541		447190	

33. What is the Primary Business of this entity? *(Do not repeat the SIC or NAICS description.)*

MILITARY SERVICE STATION

34. Mailing Address:	**2087 EAST 71ST STREET**							
	City	**TULSA**	**State**	**OK**	**ZIP**	**74136**	**ZIP + 4**	
35. E-Mail Address:	**RGROSSMAN@TRCCOMPANIES.COM**							

36. Telephone Number	**37. Extension or Code**	**38. Fax Number** *(if applicable)*
(918) 496-400		**(860) 298-6380**

39. TCEQ Programs and ID Numbers Check all Programs and write in the permits/registration numbers that will be affected by the updates submitted on this form. See the Core Data Form instructions for additional guidance.

☐ Dam Safety	☐ Districts	☒ Edwards Aquifer	☐ Emissions Inventory Air	☐ Industrial Hazardous Waste
☐ Municipal Solid Waste	☐ New Source Review Air	☐ OSSF	☒ Petroleum Storage Tank	☐ PWS
☐ Sludge	☐ Storm Water	☐ Title V Air	☐ Tires	☐ Used Oil
☐ Voluntary Cleanup	☐ Wastewater	☐ Wastewater Agriculture	☐ Water Rights	☐ Other:

SECTION IV: Preparer Information

40. Name:	RICHARD VARNELL	41. Title:	SENIOR PM, PRINCIPAL ENGINEER

42. Telephone Number	43. Ext./Code	44. Fax Number	45. E-Mail Address
(512) 626-3990		( ) -	RVARNELL@TRCCOMPANIES.COM

SECTION V: Authorized Signature

46. By my signature below, I certify, to the best of my knowledge, that the information provided in this form is true and complete, and that I have signature authority to submit this form on behalf of the entity specified in Section II, Field 6 and/or as required for the updates to the ID numbers identified in field 39.

Company:	TRC GOVERNMENT SERVICES, LLC	Job Title:	President
Name *(In Print)*:	Richard Grossman	Phone:	(918) 629- 7700
Signature:		Date:	13/10/2023

OWNER AUTHORIZATION FORM

Owner Authorization Form

Texas Commission on Environmental Quality
for Required Signature
Edwards Aquifer Protection Program
Relating to 30 TAC Chapter 213
Effective June 1, 1999

Land Owner Authorization

I, RICHARD TREVINO, JR.,P.E. of
Land Owner Signatory Name

UNITED STATES GOVERNMENT
Land Owner Name (Legal Entity or Individual)

am the owner of the property located at

4600 Camp Bullis Road (Approximate Address), Camp Bullis, Texas 78257
Legal description of the property referenced in the application

and am duly authorized in accordance with §213.4(c)(2) and §213.4(d)(I) or §213.23(c)(2) and §213.23(d) relating to the right to submit an application, signatory authority, and proof of authorized signatory.

1do hereby authorize TRC GOVERNMENT SERVICES, LLC
Applicant Name (Legal Entity or Individual)

to conduct Construct and operate a military service station
Description of the proposed regulated activities

at Latitude: 29.644557, Longitude: -98.575186
Precise location of the authorized regulated activities

Land Owner Acknowledgement

1understand that UNITED STATES GOVERNMENT
Land Owner Name (Legal Entity or Individual)

is ultimately responsible for compliance with the approved or conditionally approved Edwards Aquifer protection plan and any special conditions of the approved plan through all phases of plan implementation even if the responsibility for compliance and the right to possess and control the property referenced in the application has been contractually assumed by another legal entity. I further understand that any failure to comply with any condition of the executive director's approval is a violation is subject to administrative rule or orders and penalties as provided under §213.10 (relating to Enforcement). Such violation may also be subject to civil penalties and injunction.

Land Owner Signature

Land Owner Signature

12 October 2023
Date

THE STATE OF§ TEXAS

County of§ BEXAR

BEFORE ME, the undersigned authority, on this day personally appeared RICHARD TREVINO known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that ~~(s)~~he executed same for the purpose and consideration therein expressed.

GIVEN under my hand and seal of office on this 12th day of OCTOBER, 2023

NOTARY PUBLIC

RICHARD P. CHEN, Lt Col, USAF
Typed or Printed Name of Notary

MY COMMISSION EXPIRES: Indefinite

WITH THE UNITED STATES ARMED FORCES AT JOINT BASE SAN ANTONIO. FORT SAM HOUSTON TX

Attached: (Mark all that apply)

D Lease Agreement

D Signed Contract

D Deed Recorded Easement

D Other legally binding document

Applicant Acknowledgement

I Richard Grossman of TRC GOVERNMENT SERVICES
Applicant Signatory Name — Applicant Name (Legal Entity or Individual)

acknowledge that UNITED STATES GOVERNMENT
Land Owner Name (Legal Entity or Individual)

has provided TRC GOVERNMENT SERVICES
Applicant Name (Legal Entity or Individual)

with the right to possess and control the property referenced in the Edwards Aquifer protection plan.

1understand that TRC GOVERNMENT SERVICES
Applicant Name (Legal Entity or Individual)

is contractually responsible for compliance with the approved or conditionally approved Edwards Aquifer protection plan and any special conditions of the approved plan through all phases of plan implementation. I further understand that failure to comply with any condition of the executive director's approval is a violation is subject to administrative rule or orders and penalties as provided under §213.10 (relating to Enforcement). Such violation may also be subject to civil penalties and injunction.

Applicant Signature

Applicant Signature

11/18/2023
Date

THE STATE OF§ ___

County of§ ___

BEFORE ME, the undersigned authority, on this day personally appeared Richard Grossman known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that (s)he executed same for the purpose and consideration therein expressed.

GIVEN under my hand and seal of office on this 18 day of November 2023

JORGE ARTURO ORTIZ
Notary Public, State of Texas
Comm. Expires 09-13-2027
Notary ID 126753574

NOTARY PUBLIC

Jorge Arturo Ortiz
Typed or Printed Name of Notary

MY COMMISSION EXPIRES: 09/13/2027

GRANT OF EASEMENT

DEPARTMENT OF THE AIR FORCE

GRANT OF EASEMENT TO

TRC Government Services, LLC
AT

JOINT BASE SAN ANTONIO-SAM HOUSTON AND JOINT BASE SAN ANTONIO-CAMP BULLIS

SAN ANTONIO, TX

Form approved by
SAF/GCN 29 Mar 2022
Previous versions are obsolete

TABLE OF CONTENTS

Form approved by
SAF/GCN 29 Mar 2022
Previous versions are obsolete

DEPARTMENT OF THE AIR FORCE

GRANT OF EASEMENT OF PROPERTY

AT JOINT BASE SAN ANTONIO-SAM HOUSTON AND JOINT BASE SAN ANTONIO-CAMP BULLIS

PREAMBLE

THE UNITED STATES OF AMERICA, acting by and through the Secretary of the Air Force (the "Government"), under and pursuant to the authority granted in 10 U.S.C. § 2668, the Secretary of the Air Force having determined that no more land than needed for the Easement (defined below) is included herein, and the granting of this Easement is not against the public interest; does hereby grant and convey to **TRC Government Services, LLC.,** a **Delaware limited liability company**, duly authorized to do business in the State of Texas (the "Grantee"), an exclusive Easement for the purpose of developing, operating and maintaining a single Bulk Fuel Facility on, over, under and across the property on Joint Base San Antonio – Camp Bullis, Bexar County, Texas and Joint Base San Antonio – Sam Houston, Bexar County, Texas ("Easement Areas") at each of the following locations: (1) 3.016 acres or 131,370 square feet of land located along the southeastern side of Camp Bullis Road, at its intersection with Lewis Valley Road, on JBSA-Camp Bullis military installation, and is part of the James Madison Survey No. 3, Abstract No. 386, in Bexar County, Texas Property Records as described in Exhibit A-1 and depicted in Exhibit B-1; (2) 1.985 acres or 86,448 square feet of land located along the western side of Ludington Road, east of 16th Street on JBSA-Sam Houston military installation, and is part of the Guillerma Nunez Survey No. 151, Abstract No. 548, in Bexar County, Texas Property Records as described in Exhibit A-2 and depicted in Exhibit B-2 (referred to hereinafter as the "Easement"). The proposed development, operation and maintenance of the facilities and improvements, in accordance with the Contract (defined in Section 1.3 of the Basic Terms of this Easement), will be a Contractor-Owned Contractor-Operated (COCO) facility.

AND GRANTS TO GRANTEE the right to gain access to the Easement Areas through a route or routes designated from time to time by the Government including use of (i) streets, driveways, sidewalks, and walkways on the installations for purposes of pedestrian and vehicular ingress and egress to and from the Easement Areas which lead to the Easement Areas. The Government reserves the right to change, modify, eliminate, or temporarily close any portion or portions of streets, driveways, sidewalks, walkways, and internal portions of the area, including, but not limited to, the area that surrounds the Easement Areas and the Easement Area itself. The Grantee recognizes that the Easement Areas are located on an active military installation. Nevertheless, the Government will make a good faith effort to provide twenty-four (24) hours' notice to Grantee of any planned closures that eliminate access to the Easement Area, except in the case of emergencies or which, in

the sole and absolute discretion of the Government, may be required to promote or protect the national defense.

RESERVING, HOWEVER, unto the Government general access over, under, across, and through the Easement Areas for the purpose of accessing, using, operating, and maintaining any Government real or personal property, facilities, fixtures, equipment, utilities, or the like located on, beneath, or adjacent to the Easement Areas.

BASIC TERMS

1. TERM

1.1. Term. The term of this Easement shall be 20 years commencing [17 August 2022] ("Commencement Date") and ending [16 August 2042] ("Expiration Date") unless sooner terminated. The period from the Commencement Date through the Expiration Date shall be referred to as the "Easement Term." The Parties expressly agree that in the event of a cancellation or termination of the Contract, as defined in Paragraph 1.3.1 below, by the Defense Logistics Agency Energy (the "DLA"), there shall arise a right by Grantee to terminate this Easement, however, if the termination of the Contract is for cause, Grantee shall be liable to the Government for any and all rights and remedies provided by law.

1.1.1. Renewal Options. Each option to renew the Easement Term shall be deemed automatically exercised by the Grantee at the end of the then current Easement Term unless Grantee notifies the Government of its intent not to renew the Easement Term prior to the end of the then current Easement Term.

1.2. Delivery of Possession. The Government shall deliver and the Grantee shall accept possession of the Easement Areas on the Commencement Date.

1.3. Contract-Easement Relationship.

1.3.1. The DLA has entered into a contract for services with Grantee with an effective date of September 25, 2019 (contract No. SPE-603-19-C-5011) to provide COCO services (the "Contract") in order to perform its obligations under the Contract with the DLA. The Easement and the Contract shall not merge. In the event that the terms and conditions of this Easement conflict with the terms and conditions of the Contract, the terms and conditions of the Contract shall prevail. A default under the Contract may, in the sole discretion of the Government, constitute adefault under this Easement. Unless otherwise specified in this Easement, any and all Government rights and remedies as set forth in the Contract and in this Easement will be available to the Government on a cumulative basis to enforce the provisions of this Easement.

1.3.2. This Easement shall not be terminated by the Government prior to the termination of the Contract, except in accordance with Paragraph 5 of this Easement. Termination of the Contract will result in termination of the Easement, in accordance with Paragraph 5 below.

2. CONSIDERATION

2.1. Base Consideration. The Government shall receive consideration ("Base Consideration") as in-kind consideration, which the Government has determined to be equal to the fair market rental value in the form of the development, operation and maintenance of the improvements and facilities located or to be later located on the Easement Areas by the Grantee as set forth in the Contract and the associated cost savings to the Government. The first amount shall be pro rata from the Commencement Date to the end of that calendar year. All in-kind consideration which may be due from this Easement shall be approved and verified on an annual basis through **502 CEG/CERR, JBSA Real Property Accountable Officer, 2250 Engineer Street, Bldg 4196 JBSA-Sam Houston, TX 78234.**

3. CORRESPONDENCE

3.1. Notices. Whenever the Government or the Grantee shall desire to give or serve upon the other, a notice or other communication shall be sent to the regular mailing address for the parties specified below.

If to the Grantee:

TRC Government Services, LLC
Attention: Rick Grossman
2087 East 71st Street, Suite 101
Tulsa, OK 74136-5462

If to the Government:

DEPARTMENT OF THE AIR FORCE
502 CEG/CERR
2250 Engineer Street, Bldg. 4196
JBSA-Sam Houston, TX 78234

With a copy to:

DEPARTMENT OF THE AIR FORCE
AFCEC/CIT
2261 Hughes Avenue, Suite 155
JBSA-Lackland, TX 78236

4. USE OF EASEMENT AREAS

4.1. Permitted Uses. The development, operation and maintenance of COCO retail fuel service stations at Joint Base San Antonio-Sam Houston and Joint Base San Antonio-Camp Bullis upon the Easement Areas will be performed by Grantee in accordance with the Contract. Grantee shall perform required tasks to include fuel operations, management, and administrative tasks pertaining to the receipt, storage, handling, and issue of DLA fuel products. In addition, the Grantee shall ensure all Grantee personnel are adequately trained to perform job tasks, maintain the security of facilities and computer systems as described in the Contract and this Easement, and comply with installation, local, state, and federal laws and regulations, and for no other purposes, subject, however, to all applicable provisions of this Easement. Grantee's use of the Easement Areas shall comply, at Grantee's sole cost and expense, with all Applicable Laws (defined below). The Grantee shall not use or occupy the Easement Areas in any manner that is unlawful, dangerous, or that results in waste, unreasonable annoyance, or a nuisance to the Government. The proposed use does not interfere with the missions of Joint Base San Antonio-Sam Houston nor Joint Base San Antonio-Camp Bullis. The proposed use is compatible with Air Force security, safety, and the missions of both Joint Base San Antonio-Sam Houston and Joint Base San Antonio-Camp Bullis. The proposed use meets AICUZ noise, accident potential, and height obstruction criteria according to AICUZ Handbook DoDI 4165.57.

4.2. Government Right of Access. Any agency of the United States, its officers, agents, employees, contractors, and subcontractors may enter upon the Easement Areas at all times for any purposes not inconsistent with the Grantee's use thereof under this Easement, including but not limited to confirming compliance by the Grantee with the terms of this Easement. The Government normally will enter the Easement Areas during regular business hours and give the Grantee at least twenty-four (24) hours prior notice of its intention to do so, unless it determines the entry is required for safety, environmental, operations, or mission security purposes. The Grantee shall have no claim on account of any entries against the Government or any officer, agent, employee, contractor, or subcontractor. The Grantee shall not be liable for any damage to the Easement Areas, either above ground or below ground, to the extent caused by the Government, Government's contractor or the Government's subcontractor (other than the Grantee).

5. DEFAULT, REMEDIES, AND TERMINATION

5.1. Events of Default. Any one or more of the following shall constitute an event of default ("Event of Default") under this Easement by the Grantee:

5.1.1. Grantee's failure to comply with any provision of this Easement, where such failure to comply continues for thirty (30) days after delivery of written notice thereof by the Government to the Grantee. If, however, such default is not reasonably susceptible to cure within such thirty (30) day period, the Grantee shall have such longer period as may be approved in writing in advance by the Government, which approval shall not be unreasonably withheld, conditioned or denied, to cure such default so long as the Grantee

commences curing such default within the initial thirty (30) day period and diligently prosecutes such cure to completion in accordance with a schedule approved in writing by the Government, which approval shall not be unreasonably withheld, conditioned or denied.

5.1.2. In accordance with Paragraph 1.3 above, a default under the Contract may constitute a default under the Easement.

5.1.3. In addition to other specific conditions of this Easement, each of the following events shall be a default by the Grantee and deemed to place the Grantee in non-compliance with this Easement.

5.1.3.1. Abandonment. Abandonment of the Easement Areas, or the improvements now existing or later located on the Easement Areas, where such abandonment continues for a period of ten (10) days after notice by Secretary to Grantee.

5.1.3.2. Attachment or Other Levy. If any or all of the Easement Areas or any right or interest of the Grantee in the Easement Areas are subjected to attachment, execution or other levy, or to seizure under legal process which is not released within thirty (30) days.

5.1.3.3. Insolvency: Bankruptcy. An assignment by the Grantee for the benefit of creditors, or the filing of a voluntary or involuntary petition by or against the Grantee under any law for the purpose of adjudicating the Grantee as bankrupt; or for extending time for payment, adjustment or satisfaction of Grantee's liabilities; or reorganization, dissolution, or arrangement on account of, or to prevent bankruptcy or insolvency; unless, in case of involuntary actions only, such actions, proceedings, and all consequent orders are dismissed, vacated or terminated within thirty (30) days.

5.2. Excusable Delay. No Event of Default shall be deemed to have occurred for any period of time during which an "Excusable Delay," as defined in Paragraph 22.16, exists or the Grantee and the Government are attempting to resolve a dispute about an alleged default as provided in Paragraphs 5.1 or 5.2. For an Excusable Delay, the Grantee's period for cure shall be tolled for the period of time that the Excusable Delay exists. For a dispute, if, pursuant to the dispute resolution procedures set forth in Paragraph 5.5, a default is determined to have occurred, the Grantee's period for cure shall not begin until the day after the final decision on the dispute is issued, and such default shall not become an Event of Default until any applicable cure period has expired.

5.3. Termination. This Easement may be terminated as follows:

5.3.1. The Government may terminate this Easement without cost or liability to the Government upon written notice to the Grantee that an Event of Default exists and remains uncured in accordance with the terms and conditions of Paragraph 5.1. Such notice shall

be referred to as a "Default Termination Notice" and shall be effective as of the date specified therein, which shall be at least five (5) but not more than thirty (30) days after its receipt by the Grantee.

5.3.2. The Government may revoke or terminate this Easement in whole or in part as set out above or in the event: (1) the Contract is terminated in accordance with its terms; or (2) during any national emergency declared by the President or Congress, the Government determines that a termination is necessary; or (3) the Government determines that termination of the Easement is required for military purposes or is necessary in the interest of national defense. The Grantee will be given at least thirty (30) days prior written notice by the Government in the event this Easement is revoked or terminated in accordance with this condition, except for clause (2) above where advance notice to the Grantee shall not be required. In lieu of revocation for violation of the terms and conditions of this Easement, the Government may exercise any legal remedy available under the provisions of the Contract.

5.3.3. Either the Government or the Grantee may terminate this Easement upon written notice to the other Party in the event of extensive damage or destruction of all or part of the Easement Areas pursuant to Section 10.6 below.

5.4. Grantee Waiver of Suits and Claims. The Grantee hereby waives any claims or suits against the Government arising out of any termination of this Easement pursuant to Paragraph 5.3

5.5. Disputes

5.5.1. Except as provided in the Easement or in the Contract Disputes Act of 1978 as amended January 4, 2011 (41 U.S.C. 7101-7109) (the Act), any dispute between the Government and the Grantee arising under or related to this Easement involving $10,000 (exclusive of interest) or less shall be decided by the Air Force Civil Engineer Center (AFCEC) Director ("Director") of the Installations Directorate (AFCEC/CI). The Director shall reduce his or her decision to writing and mail or otherwise furnish a copy to the Grantee. With respect to any such dispute, the Grantee agrees that the decision of the Director shall be final and conclusive and shall not be appealable or otherwise subject to challenge.

5.5.2. The Grantee and the Government agree that the following procedures constitute the administrative procedures that must be exhausted with respect to any dispute arising under or related to this Easement involving more than $10,000 (exclusive of interest) before the Grantee or the Government may pursue any other remedy that is available to it pursuant to this Easement or law.

5.5.2.1. Any dispute involving more than $10,000 (exclusive of interest) shall be decided by the Director of AFCEC/CI. The Director shall reduce his decision to writing

and mail or otherwise furnish a copy thereof to the Grantee. The decision of the Director shall be final and conclusive unless, within thirty (30) calendar days from the date of receipt of the decision, the Grantee appeals the decision, by certified mail, to the Deputy Assistant Secretary of the Air Force for Installations (SAF/IEI) and delivers a copy of its appeal to the Director by certified mail.

5.5.2.2. SAF/IEI shall render a decision by a date mutually agreed upon by the Parties. Either Party shall have the right to appeal the decision of SAF/IEI or his or her authorized representative to a court of competent jurisdiction in a timely manner; otherwise, the decision of SAF/IEI shall be final

OPERATION OF THE PREMISES.

6. EASEMENTS AND RIGHTS OF WAY

6.1. Easement Subject to Existing Easements. This Easement shall be subject to all existing easements, rights in the nature of easements, rights of way, licenses, and other property rights and interests (collectively, "Outgrants"), whether of public record or not, for any purpose with respect to the Easement Areas. A non-exclusive list of the Outgrants is attached as Exhibit C hereto. The Government shall have the right to reserve unto itself, or to grant to third parties, additional Outgrants. However, any such additional Outgrants shall not unreasonably interfere with the Grantee's use under this Easement or the value of the Easement Areas.

7. CONDITION OF EASEMENT AREAS

7.1. Condition of Premises. The Grantee has inspected, knows, and accepts the condition and state of repair of the Easement Areas. It is understood and agreed that the easement rights in the Easement Areas are granted in an "as-is, where-is" condition, without any representation or warranty by the Government concerning their condition, and without obligation on the part of the Government to make any alterations, repairs, or additions, except as may be expressly set forth in the Contract or Easement.

7.2. Physical Condition Report. A physical condition report ("PCR") has been jointly prepared and signed by representatives of the Government and the Grantee and is attached as Exhibit D hereto. The PCR sets forth the agreed physical appearance and condition of the Easement Areas on the Commencement Date as determined from a joint inspection by the Parties. A separate PCR for the Easement Areas will be prepared by the Government, within ten (10) days after the expiration or earlier termination of this Easement ("Final PCR"). The Final PCR will be used by the Government to determine whether the Grantee has fulfilled its obligations to maintain and restore the Easement Areas under this Easement, including without limitation, Paragraph 13 and Paragraph 16.

8. MAINTENANCE OF EASEMENT AREAS

8.1. Maintenance of Easement Areas. The Grantee, at no expense to the Government, shall at all times preserve, maintain, repair, and manage the Easement Areas, Easement Areas Improvements, and Grantee Equipment in an acceptable, safe, and sanitary condition in accordance with this Easement.

8.2. Damage to Government Property. If the Grantee damages or destroys any real or personal property of the Government, then the Grantee shall promptly repair or replace such real or personal property to the reasonable satisfaction of the Government. In lieu of such repair or replacement, the Grantee shall, if so required by the Government, pay to the Government money in an amount sufficient to compensate for the loss sustained by the Government by reason of damage or destruction of Government property, including natural resources. Grantee shall not be responsible for damages not caused by its actions or that are not caused by the services Grantee performs under its Contract.

9. TAXES

9.1. Grantee Payment of Taxes. Grantee shall pay to the proper authority, when due and payable, all taxes, assessments, and similar charges that may be imposed on Grantee or the Easement Areas. Each Party shall have the right, but not the obligation, at its own expense to take such actions as may be necessary and appropriate (i) to contest the validity, applicability or amount thereof; (ii) minimize such taxes, assessments or charges; or (iii) assert any exemption which may be available with respect to taxes, assessments or charges imposed on the Easement Areas. If and to the extent the Easement Areas are later made taxable by state or local governments under an Act of Congress, such taxes shall be paid by the Grantee.

10. INSURANCE

10.1. Risk of Loss. The Grantee shall, in any event and without prejudice to any other rights of the Government, bear all risk of loss or damage or destruction to the Easement Areas, including any buildings, improvements, fixtures, or other property thereon, arising from the actions of Grantee, its invitees and any other parties coming on to the Easement Areas for any reason associated with Grantee or its use of the Easement Areas,; provided, however, the Government shall not be relieved of responsibility for loss or damage that is solely the result of the negligence or willful misconduct of the Government and to the extent such loss or damage is not covered by coverage of insurance required under this Easement.

10.2. Insurance Coverage. During the entire period this Easement shall be in effect, the Grantee, at no expense to the Government, will carry and maintain, and as appropriate, require any contractor performing work on the Easement Areas to carry and maintain, the following at no expense to the Government, the following insurance coverages:

10.2.1. Property insurance coverage against loss or damage by open perils or its equivalent, including fire, for One Hundred Percent (100%) of the full replacement cost of the buildings, building improvements, improvements to land, fixtures, and personal property on the Easement Areas. The policies of insurance carried in accordance with this Condition shall contain a "Replacement Cost Endorsement." Such full replacement cost shall be determined from time to time, upon the written request of the Government or the Grantee, but not more frequently than once in any twenty-four (24) consecutive calendar month period (except in the event of substantial changes or alterations to the Easement Areas undertaken by the Grantee as permitted under the provisions of the Easement).

10.2.1.1. If the Easement Areas are located in an area that is prone to suffer property loss and damage from earthquake, flood, windstorm, or rainstorm, a special risks or perils endorsement from a commercial insurer or from a State or Federal program, in such amounts and with such limitations and retentions satisfactory to the Government.

10.2.2. Commercial general liability insurance from a reputable insurance company or companies in an amount not less than that which is commercially prudent, reasonable and consistent with sound business practices. In no event shall such liability insurance be less than $1,000,000 for persons or claims arising from any one incident with respect to bodily injuries or death resulting therefrom, or less than $1,000,000 for property damage per occurrence, suffered or alleged to have been suffered by any person or persons resulting from the operations of the Grantee under the terms of this Easement.

10.2.2.1. An ISO business auto policy or its equivalent, covering bodily injury, death and property damage arising from covered auto Symbol 1 ("any auto") or its equivalent, in an amount not less than that which is commercially prudent, reasonable and consistent with sound business practices. In no event shall such ISO business auto policy insurance be less than $1,000,000 for persons or claims arising from any one incident with respect to bodily injuries or death resulting therefrom, or less than $1,000,000 for property damage per occurrence, suffered or alleged to have been suffered by any person or persons resulting from the operations of the Grantee under the terms of this Easement. All liability policies shall be primary and non-contributory to any insurance maintained by the Government.

10.2.3. If and to the extent required by law, Workers' compensation or similar insurance covering all persons employed by Grantee or its subcontractors in connection with the work in the Easement Areas performed by Grantee, its employees or subcontractors and with respect to whom death or bodily injury claims could be asserted against the Government or the Grantee, in form and amounts required by law (statutory limits), and employers' liability, with limits of not less than $1,000,000 each coverage and policy limit.

10.3. General Requirements. All insurance required by this Easement shall be: (i) effected under valid and enforceable policies, in such forms and amounts required under this Easement; (ii) underwritten by insurers authorized to underwrite insurance in the State

where the Easement Areas are located, and must have a rating of at least B+ by the most recent edition of *Best's Key Rating Guide;* (iii) provide that no reduction in amount or material change in coverage thereof shall be effective until at least sixty (60) days after receipt by the Government of written notice thereof; (iv) provide that any cancellation of insurance coverage based on nonpayment of the premium shall be effective only upon ten (10) days' written notice to the Government; (v) provide that the insurer shall have no right of subrogation against the Government; and (vi) be reasonably satisfactory to the Government in all other respects. The Government shall appear in all policies, other than Worker's Compensation and employer's liability, as United States of America, 502 CEG/CERR, 2250 Engineer Street, Joint Base San Antonio-Sam Houston, Texas, 78234, (210) 221-5209. In no circumstance will the Grantee be entitled to assign to any third party rights of action that the Grantee may have against the Government. The Grantee understands and agrees that cancellation of any insurance coverage required to be carried and maintained by the Grantee or contractor under this Lease will constitute a failure to comply with the terms of the Easement, and the Government shall have the right to terminate the Easement upon receipt of any such cancellation notice, but only if the Grantee fails to cure such noncompliance to the extent allowed.

10.3.1. The insurance policy or policies required under Section 10.2 shall be of comprehensive form of contract and shall specifically provide protection appropriate for the types of facilities, services and activities involved.

10.3.2. The Grantee shall purchase and maintain the types of insurance that are commercially reasonable and prudent for the type of business activity conducted on the Easement Areas and required under this Easement and the Contract. Neither the failure to purchase nor the purchase of such insurance shall in any way relieve the Grantee of liability to the United States.

10.4. Commercial general liability and business auto liability insurance required pursuant to this agreement shall be maintained for the limits specified, and shall provide coverage for the mutual benefit of the Grantee and the Government as an additional insured. Property policies will provide for the Grantee to name its financing partner as a loss payee and additional insured.

10.5. Evidence of Insurance. The Grantee shall deliver or cause to be delivered upon execution of this Easement (and thereafter not less than ten (10) days prior to the expiration date of each policy furnished pursuant to this Easement), at the Government's option, a certified copy of each policy of insurance required by this Easement, or a certificate of insurance evidencing the insurance and conditions relating thereto required by this Easement, in a form acceptable to the Government, and including such endorsements necessary.

10.6. Damage or Destruction of Premises. In the event all or part of the Easement Areas is damaged (except *de minimis* damage) or destroyed, the Grantee shall promptly give notice thereof to the Government and the Parties shall proceed as follows:

10.6.1. In the event that the Government in consultation with the Grantee determines that the magnitude of damage is so extensive that the Easement Areas cannot be used by the Grantee for its operations and the repairs, rebuilding, or replacement of the Easement Areas cannot reasonably be expected to be substantially completed within three (3) months of the occurrence of the casualty ("Extensive Damage or Destruction of Easement Areas"), either Party may terminate this Easement as provided herein. If this Easement is terminated, any insurance proceeds received as a result of any casualty loss to the Easement Areas shall be applied to the restoration of the Easement Areas prior to being afforded to the Grantee.

10.6.2. In the event that the Government in consultation with the Grantee shall determine that Extensive Damage or Destruction of the Easement Areas has not occurred, neither Party shall have the right to terminate this Easement. The Grantee shall, as soon as reasonably practicable after the casualty, restore the Easement Areas as nearly as possible to the condition that existed immediately prior to such loss or damage. Any insurance proceeds received as a result of any casualty loss to the Easement Areas shall be applied first to restoring the damaged area and removing any related debris to the reasonable satisfaction of the Government and second, to repairing, rebuilding, and/or replacing the Easement Areas to the reasonable satisfaction of the Government and the specifications in the Contract.

10.6.3. Notwithstanding any other provision of this Easement, the Grantee may, with the prior consent of the Government, self-insure any risk for which insurance coverage is required under this Easement; provided, however, that if the Grantee's statutory limits of liability or other impediments to the assumption of liability are less than the limits of insurance required in this Easement, the Grantee shall obtain commercial coverage which is sufficient in amount and nature to satisfy the insurance requirements of this Easement when added to any such self-insurance. In order to obtain the consent of the Government to self-insure, the Grantee shall provide the Government with a writing setting forth the limitations and impediments, if any, to which the Grantee's self-insurance is subject, the Grantee's source of funds to pay any claim from any risk for which insurance is required under this Easement, and any other information which the Government may require to assess the Grantee's request. If commercial insurance is required for any purpose, the total amount of commercial insurance and self-insurance shall meet the dollar limitations provided in this Easement.

11. ALTERATIONS

11.1. Easement Areas Improvements. Grantee shall, at its sole cost and expense, undertake, develop, repair or replace Easement Areas Improvements. Improvements must be pre-approved by the Government, including, but not limited to, the installation

commander or his or her designee, whose approval will not be unreasonably withheld. Improvements must comply with all applicable federal and state law and regulations.

11.2. Government Approval of Certain Development Related Matters. All matters of ingress, egress, contractor haul routes, development activity, and disposition of excavated material in connection with this Easement shall be approved in advance by the Government, including, but not limited to, the installation commander or his or her designee.

11.3. Grantee Installation of Machinery, Grantee Equipment, Minor Improvements and Removable Fixtures. During the Lease Term, the Grantee shall have the right at its sole cost and expense, to install such of its own machinery and equipment, to make improvements, and to attach such removable fixtures including but not limited to Grantee Equipment in, on, below or upon the Easement Areas as may be necessary for its use of the Easement Areas pursuant to this Lease; and to remove such Grantee machinery, Equipment, minor improvements, and removable fixtures at any time prior to the expiration or earlier termination by the Grantee of this Easement. In the event of termination of this Easement by the Government, and pursuant to Paragraph 5, the Grantee shall have a reasonable period of time following the effective termination date to remove such property including Grantee Equipment.

11.3.1. The installation of Grantee Equipment shall be done in accordance with existing federal, state, and local codes, including the National Electrical Code and other codes that directly relate to the development, installation, operation and maintenance of communication equipment. If codes differ, the more stringent code shall apply.

11.4. Title to Easement Areas Improvements and Grantee Equipment. Subject to Paragraph 13, title to all Grantee Improvements and Grantee Equipment shall be vested in the Grantee throughout the Easement Term.

11.5. Airfield Development. Any new development or alteration shall comply with any applicable Air Force requirements, such as clear zones.

12. COSTS OF UTILITIES/SERVICES

12.1. Utilities and Services. The Grantee shall be responsible for all utilities, janitorial services, refuse collection, and building and grounds maintenance of the Easement Areas without cost to the Government.

13. RESTORATION

13.1. Grantee's Removal Obligation. Title to all Easement Areas Improvements and Grantee Equipment placed or developed on the Easement Areas by the Grantee shall, during the term of this Easement, remain with the Grantee. Within sixty (60) days of the

revocation, termination, or expiration of the Easement, the Grantee shall vacate the Easement Areas, remove its personal property therefrom and restore the Easement Areas to the aforesaid conditions and as set forth to a condition satisfactory to the Government, including any environmental restoration in accordance with the Property Restoration Plan as set forth in Section C-3.1.2. of the Performance Work Statement ("PWS") as incorporated by reference to the Contract.

13.2. Government Restoration of Easement Areas. In the event that the Grantee shall fail or neglect to remove its Easement Area Improvements and Grantee Equipment and restore the Easement Areas, then, at the option of the Government, the Easement Areas Improvements and Grantee Equipment shall either become the property of the Government without compensation therefor, or the Government may cause the Easement Areas Improvements and Grantee Equipment to be removed and no claim for damages against the Government or its officers or agents shall be created by or made on account for such removal and restoration work. The Grantee shall also pay within thirty (30) days of demand any sum which may be expended by the Government after the expiration, revocation, or termination of this Easement in restoring the Easement Areas.

CHANGES IN OWNERSHIP OR CONTROL

14. TRANSFER OR ASSIGNMENT

14.1. Right to Assign. The Grantee shall not assign this Easement or any interest therein in any property on the Easement Areas without the prior written consent of the Government.

14.1.1. Any assignment granted by the Grantee shall be consistent with all of the terms and conditions of this Easement and shall terminate immediately upon the expiration or any earlier termination of this Easement, without any liability on the part of the Government to the Grantee or any assignee. Under any assignment made, with or without consent, the assignee shall be deemed to have assumed all of the obligations of the Grantee under this Easement. No assignment shall relieve the Grantee of any of its obligations hereunder including its obligation to pay Rent.

15. LIENS AND MORTGAGES

15.1. Prohibition against Grantee Mortgage of Easement Areas. The Grantee shall not: (i) engage in any financing or other transaction creating any mortgage or security interest upon the Easement Areas; (ii) place or suffer to be placed upon the Easement Areas any lien or other encumbrance; (iii) suffer any levy or attachment to be made on the Grantee's interests in the Easement Areas; or (iv) pledge, mortgage, assign, encumber, or otherwise grant a security interest in the Easement Areas or the rents, issues, profits, or other income of the Easement Areas.

ENVIRONMENT.

16. ENVIRONMENTAL PROTECTION

16.1. Compliance with Applicable Laws. The Grantee shall comply with all Applicable Laws that are or may become applicable to Grantee's activities on the Easement Areas.

16.2. Environmental Permits. The Grantee shall obtain at its sole cost and expense any environmental and other necessary permits required for its operations under this Easement, independent of any existing permits.

16.3. Indemnification. See Paragraph 29.

16.4. Environmental Protection Plan. The Grantee shall comply with its Environmental Protection Plan as set forth in Section C-3.2.6 of the PWS as incorporated by reference to the Contract.

16.5. Records Maintenance and Accessibility. The Government's rights under this Easement specifically include the right for Government officials to inspect the Easement Areas, upon reasonable notice as provided under Paragraph 4.3, for compliance with Applicable Laws, including environmental laws, rules, regulations, and standards. Such inspections are without prejudice to the right of duly constituted enforcement officials or any other regulatory agencies to make such inspections. Violations identified by the Government will be reported to the Grantee and to appropriate regulatory agencies, as required by Applicable Law. The Grantee will be liable for the payment of any fines and penalties that may be imposed as a result of the actions or omissions of the Grantee.

16.6. Grantee Response Plan. The Grantee shall comply with all base plans and regulations for responding to hazardous waste, fuel, and other chemical spills.

16.7. Pesticide Management. Any pesticide use will require prior Government approval.

16.8. Compliance with Water Conservation Policy. The Grantee will comply with the Installation water conservation policy, as amended from time to time (to the extent that such policy exists and the Grantee receives copies thereof), from the Commencement Date through the Expiration Date.

16.9. Protection of Environment and Natural Resources. The Grantee will use all reasonable means available to protect environmental and natural resources from damage caused by its possession and use of the Easement Areas, consistent with Applicable Laws and this Easement. Where damage nevertheless occurs, arising from the Grantee's

activities, the Grantee shall be fully liable to the extent such damage is caused by Grantee's possession and use of the Easement Area for any such damage.

16.10. Pesticides and Pesticide Related Chemicals in Soil. The Grantee acknowledges that the surface soil on the Easement Areas may contain elevated levels of pesticides and pesticide-related chemicals applied in the normal course of maintaining the Easement Areas, and Government shall not be liable for any such levels in exceedance of applicable laws as a result of Grantee's maintenance of the Easement Areas. The Grantee shall manage all such soil on the Easement Areas in accordance with the requirements of any Applicable Laws. The Government will not be responsible for injury or death of any person affected by such soil conditions whether the person is warned or not. Notwithstanding anything to the contrary herein or elsewhere in the Easement, Grantee shall not be responsible for levels of pesticides and pesticide-related chemicals that exceeded acceptable concentration levels prior to the commencement of Grantee's possession and use of the Easement Areas.

16.11. This Paragraph 16 shall survive the expiration or termination of this Easement.

17. ASBESTOS-CONTAINING MATERIALS AND LEAD-BASED PAINT

17.1. ASBESTOS-CONTAINING MATERIALS (ACM). The Grantee is warned that the Easement Areas may contain current and former improvements, such as buildings, facilities, equipment, and pipelines, above and/or below the ground, which may contain ACM. The Government is not responsible for any handling, removal or containment of asbestos or ACM to the extent the actions of the Grantee exacerbated the pre-existing conditions or for any liability related thereto. Grantee is not responsible for exacerbation of asbestos or ACM that it did not have notice of through the Environmental Baseline Survey as long as Grantee ceases work and notifies Grantor if unnoticed asbestos or ACM is encountered.

17.2. LEAD-BASED PAINT (LBP). The Grantee recognizes and acknowledges that LBP materials may be present on exterior and interior surfaces of facilities within the Easement Areas or in the soil. The Grantee will be responsible at its sole cost and expense for the management, maintenance, removal and disposal of all LBP materials introduced by Grantee to the Easement Areas or attributable to the Easement Areas Improvements performed by Grantee or its subcontractors. Removal and disposal of LBP must be carried out in compliance with all Applicable Laws.

18. SAFETY, HAZARDOUS MATERIALS, AND WASTE MANAGEMENT

18.1. Compliance with Health and Safety Plan. The Grantee agrees to comply with the provisions of any health or safety plan in effect under the IRP, as defined below (to the extent the Grantee has received notice thereof), or any hazardous substance, pollutant or

contaminant remediation or response agreement of the Government with environmental regulatory authorities (to the extent the Grantee receives notice thereof if the agreement is not of public record) during the course of any of the response or remedial actions described in Paragraph 20.3. Any inspection, survey, investigation, or other response or remedial action will, to the extent practicable, be coordinated with representatives designated by the Grantee. The Grantee and any assignees, licensees, or invitees shall have no claim on account of such entries against the United States or any officer, agent, employee, contractor, or subcontractor thereof, except to the extent permitted under federal law, including the Federal Tort Claims Act.

18.2. Occupational Safety and Health. The Grantee must comply with all Applicable Laws relating to occupational safety and health, the handling and storage of hazardous materials, and the proper generation, handling, accumulation, treatment, storage, disposal, and transportation of hazardous wastes.

19. HISTORIC PRESERVATION

19.1. The Grantee shall not remove or disturb, or cause or permit to be removed or disturbed, any historical, archeological, architectural, or other cultural artifacts, relics, remains, or objects of antiquity. In the event such items are discovered on the Easement Areas, the Grantee shall immediately notify the Government and protect the site and the material from further disturbance until the Government gives clearance to proceed.

20. INSTALLATION RESTORATION PROGRAM (IRP)

20.1. IRP Records. On or before the Commencement Date, the Government shall provide the Grantee access to the IRP records applicable to the Easement Areas, if any, and thereafter shall provide to the Grantee a copy of any amendments to or restatements of the IRP records affecting the Easement Areas. The Grantee expressly acknowledges that it fully understands the potential for some or all of the response actions to be undertaken with respect to the IRP may impact the Grantee's quiet use and enjoyment of the Easement Areas. The Grantee agrees that notwithstanding any other provision of this Lease, the Government shall have no liability to the Grantee or its SubGrantees should implementation of the IRP or other hazardous substance or pollutant or contaminant cleanup requirements, whether imposed by law, regulatory agencies, or the Government or the Department of Defense, interfere with the Grantee's or its SubGrantee's use of the Easement Areas. The Grantee shall have no claim or cause of action against the United States, or any officer, agent, employee, contractor, or subcontractor thereof, on account of any such interference, whether due to entry, performance of remedial or removal investigations, or exercise of any right with respect to the IRP or under this Easement or otherwise.

20.2. Government Right of Entry. The Government and its officers, agents, employees, contractors, and subcontractors shall have the right, upon reasonable notice to the Grantee, to enter upon the Easement Areas for the purposes enumerated in this Paragraph.

20.2.1. To conduct investigations and surveys, including, where necessary, drilling, soil and water samplings, testpitting, testing soil borings, and other activities related to the IRP;

20.2.2. To inspect field activities of the Government and its contractors and subcontractors in implementing the IRP;

20.2.3. To conduct any test or survey related to the implementation of the IRP or environmental conditions at the Easement Areas or to verify any data submitted to the EPA or the State Environmental Office by the Government relating to such conditions; and

20.2.4. To develop, operate, maintain, or undertake any other response or remedial action as required or necessary under the IRP, including, but not limited to, monitoring wells, pumping wells, and treatment facilities. Any investigations and surveys, drilling, test pitting, test soil borings, and other activities undertaken pursuant to this Subparagraph 20.2.4 shall be conducted in a manner that is as inconspicuous as practicable. Any monitoring wells, pumping wells, and treatment facilities required pursuant to this Paragraph 20.2.4 shall be designed and installed to be as inconspicuous as practicable. The Government shall attempt to minimize any interference with the Grantee's quiet use and enjoyment of the Easement Areas arising as the result of such wells and treatment facilities. The Government shall, subject to the availability of appropriations therefor, repair any damage caused by its exercise of the rights in this Paragraph.

20.3. ACCESS FOR RESTORATION

20.3.1. Nothing in this Easement shall be interpreted as interfering with or otherwise limiting the right of the Government and its duly authorized officers, employees, contractors of any tier, agents, and invitees to enter upon the Easement Areas for the purposes enumerated in Paragraph 20.3 and for such other purposes as are consistent with the provisions of a Federal Facility Agreement (FFA) or required to implement the IRP conducted under the provisions of 10 U.S.C. §§ 2701-2705. The Grantee shall provide reasonable assistance to the Government to prevent Government's activities under this Paragraph 20.3 from damaging property of the Grantee on the Easement Areas.

20.3.2. The United States Environmental Protection Agency ("USEPA") and state of Texas, including their subordinate political units, and their duly authorized officers, employees, contractors of any tier, and agents may, upon reasonable notice to the Grantee and with Government's consent, enter upon the Easement Areas for the purposes enumerated in Paragraph 20.3 and for such other purposes as are consistent with the provisions of an FFA. The Grantee shall provide reasonable assistance to USEPA and the

state to ensure their activities under this Paragraph 20.3 do not damage property of the Grantee on the Easement Areas.

21. ENVIRONMENTAL BASELINE SURVEY/CONDITION OF PROPERTY

21.1. A Supplemental Environmental Baseline Survey ("SEBS") for the Easement Areas dated 15 MARCH 2022 for JBSA-Sam Houston and 12 APRIL 2022 for JBSA-BULLIS, and AF Form 813, Request for Environmental Impact Analysis, dated 25 OCTOBER 2019 has been delivered to the Grantee and is attached as Exhibit E hereto. The EBS sets forth those environmental conditions and matters on and affecting the Easement Areas on the Commencement Date as determined from the records and analyses reflected therein. The EBS is not, and shall not constitute, a representation or warranty on the part of the Government regarding the environmental or physical condition of the Easement Areas, and the Government shall have no liability in connection with the accuracy or completeness thereof. In this regard the Grantee acknowledges and agrees that the Grantee has relied, and shall rely, entirely on its own environmental due diligence of the Easement Areas in determining whether to enter into this Easement. A separate EBS for the Easement Areas shall be prepared by the Government, after the expiration or earlier termination of this Easement ("Final EBS"). Such Final EBS shall document the environmental conditions and matters on and affecting the Easement Areas on the Commencement Date as determined from the records and analyses reflected therein. The Final EBS will be used by the Government to determine whether the Grantee has fulfilled its obligations to maintain and restore the Easement Areas under this Easement pursuant to Paragraph 13 and Paragraph 16. Notwithstanding the foregoing or anything to the contrary elsewhere in this Easement, Grantee shall be liable for changes to the environmental condition resulting in damages to the Government or claims against the Government or requirements to remediate by the Government to the extent caused by the actions, errors or omissions of Grantee, its employees, subcontractors and invitees.

GENERAL PROVISIONS

22. GENERAL PROVISIONS

22.1. Covenant against Contingent Fees. The Grantee warrants that it has not employed or retained any person or agency to solicit or secure this Easement upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee. Breach of this warranty shall give the Government the right to annul this Easement without liability or in its discretion to recover from the Grantee the amount of such commission, percentage, brokerage, or contingent fee, in addition to the consideration herewith set forth. This warranty shall not apply to commissions payable by the Grantee on the Easement secured or made through bona fide established commercial agencies retained by the Grantee for the purpose of doing business. "Bona fide established commercial agencies" has been construed to include licensed real estate brokers engaged in the business generally.

22.2. Officials Not to Benefit. No Member of, or Delegate to the Congress, or resident commissioner, shall be admitted to any part or share of this Easement or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this Easement if made with a corporation for its general benefit.

22.3. Facility Nondiscrimination. As used only in this Condition, the term "Facility" means lodgings, stores, shops, restaurants, cafeterias, restrooms, and any other facility of a public nature in any building covered by, or built on land covered by, this Easement.

22.3.1. The Grantee agrees that it will not discriminate against any person because of race, color, religion, sex, or national origin in furnishing, or by refusing to furnish, to such person or persons the use of any Facility, including any and all services, privileges, accommodations, and activities provided on the Easement Areas. This does not require the furnishing to the general public the use of any Facility customarily furnished by the Grantee solely for use by their guests and invitees.

22.3.2. The Parties agree that in the event of the Grantee's noncompliance, the Government may take appropriate action to enforce compliance, and may terminate this Easement for default and breach as provided in Paragraph 6, or may pursue such other remedies as may be provided by law.

22.4. Gratuities.

22.4.1. The Government may, by written notice to the Grantee, terminate this Easement if, after notice and hearing, the Secretary of the Air Force or a designee determines that the Grantee, or any agent or representative of the Grantee, offered or gave a gratuity (e.g., an entertainment or gift) to any officer, official, or employee of the Government and intended, by the gratuity, to obtain a lease or other agreement or favorable treatment under a lease or other agreement, except for gifts or benefits of nominal value offered to tenants of the Easement Areas in the ordinary course of business.

22.4.2. The facts supporting this determination may be reviewed by any court having lawful jurisdiction.

22.4.3. If this Easement is terminated under Paragraph 22.4.1, the Government shall be entitled to pursue the same remedies against the Grantee as in a breach of this Easement by the Grantee, and in addition to any other damages provided by law, to exemplary damages of not fewer than three (3), or more than ten (10), times the cost incurred by the Grantee in giving gratuities to the person concerned, as determined by the Government.

22.4.4. The rights and remedies of the Government provided in this Paragraph shall not be exclusive and are in addition to any other rights and remedies provided by law or under this Lease.

22.5. No Joint Venture. Nothing contained in this Easement will make, or shall be construed to make, the Parties partners or joint venturers with each other, it being understood and agreed that the only relationship between the Government and the Grantee under this Easement is that of landlord and tenant. Nothing in this Easement will render, or be construed to render, either of the Parties liable to any third party for the debts or obligations of the other Party.

22.6. Records and Books of Account. The Grantee agrees that the Secretary of the Air Force, the Comptroller General of the United States, or the Auditor General of the United States Air Force, or any of their duly authorized representatives, shall, until the expiration of three (3) years after the expiration or earlier termination of this Easement, have access to, and the right to examine, any directly pertinent books, documents, papers, and records of the Grantee involving transactions related to this Easement.

22.7. Remedies Cumulative; Failure of Government to Insist on Compliance. The specified remedies to which the Government may resort under the terms of this Easement are distinct, separate, and cumulative, and are not intended to be exclusive of any other remedies or means of redress to which the Government may be lawfully entitled in case of any breach or threatened breach by the Grantee of any provisions of this Easement. The failure of the Government to insist on any one or more instances upon strict performance of any of the terms, covenants, or conditions of this Easement shall not be construed as a waiver or a relinquishment of the Government's right to the future performance of any such terms, covenants, or conditions, but the obligations of the Grantee with respect to such future performance shall continue in full force and effect. No waiver by the Government of any provisions of this Easement shall be deemed to have been made unless expressed in writing and signed by an authorized representative of the Government.

22.8. Counterparts. This Easement is executed in three (3) counterparts, each of which is deemed an original of equal dignity with the other and which is deemed one and the same instrument as the other.

22.9. Personal Pronouns. All personal pronouns used in this Easement, whether used in the masculine, feminine, or neuter gender, will include all other genders.

22.10. Partial Invalidity. If any term or provision of this Easement, or the application of the term or provision to any person or circumstance, is, to any extent, invalid or unenforceable, the remainder of this Easement, or the application of the term or provision to persons or circumstances other than those for which the term or provision is held invalid or unenforceable, will not be affected by the application, and each remaining term or provision of this Easement will be valid and will be enforced to the fullest extent permitted by law.

22.11. Interpretation of Easement. The Parties and their legal counsel have participated fully in the negotiation and drafting of this Easement. This Easement has been prepared

by the Parties equally, and should be interpreted according to its terms. No inference shall be drawn that this Easement was prepared by, or is the product of, either Party.

22.12. Identification of Government Agencies, Statutes, Programs and Forms. Any reference in this Easement, by name or number, to a government department, agency, statute, regulation, program, or form shall include any successor or similar department, agency, statute, regulation, program, or form.

22.13. Approvals. Any approval or consent of the Parties required for any matter under this Easement shall be in writing and shall not be unreasonably withheld, conditioned or denied unless otherwise indicated in this Easement.

22.14. Third-Party Beneficiaries. There shall be no third-party beneficiaries of this Easement and none of the provisions of this Easement shall be for the benefit of, or enforceable by, any creditors of the Grantee.

22.15. No Individual Liability of Government Officials. No covenant or agreement contained in this Easement shall be deemed to be the covenant or agreement of any individual officer, agent, employee, or representative of the Government, in his or her individual capacity, and none of such persons shall be subject to any personal liability or accountability by reason of the execution of this Easement, whether by virtue of any constitution, statute, or rule of law, or by the enforcement of any assessment or penalty, or otherwise.

22.16. Excusable Delays. The Government and Grantee shall be excused from performing an obligation or undertaking provided for in this Easement, and the period for the performance of any such obligation or undertaking shall be extended for a period equivalent to the period of such delay, so long as such performance is prevented or unavoidably delayed, retarded, or hindered by an act of God; fire; earthquake; flood; explosion; war; invasion; insurrection; riot; mob; violence; sabotage; act of terrorism; inability to procure or a general shortage of, labor, equipment, facilities, materials, or supplies in the open market; failure or unavailability of transportation, strike, lockout, action of labor unions; a taking by eminent domain, requisition, laws, orders of government, or of civil, military, or naval authorities (but only such orders of a general nature pertaining to the Easement Areas and comparable properties in the state where the Easement Areas are located; governmental restrictions (including, without limitation, access restrictions imposed by the Government and arising without fault or negligence on the part of the Grantee that significantly hinder the Grantee's ability to access the Easement Areas and perform its obligations under the Development Plan in a timely manner); required environmental remediation; or any other cause, whether similar or dissimilar to the foregoing, not within the reasonable control, and without the fault or negligence of, the Government or the Grantee, as the case may be, and/or any of their respective officers, agents, servants, employees, and/or any others who may be on the Easement Areas at the invitation of the Grantee, or the invitation of any of the aforementioned persons,

specifically excluding, however, delays for adjustments of insurance and delays due to shortage or unavailability of funds (collectively, "Excusable Delays"). Nothing contained in this Paragraph 22.16 shall excuse the Grantee from the performance or satisfaction of an obligation under this Easement that is not prevented or delayed by the act or occurrence giving rise to an Excusable Delay.

23. SPECIAL PROVISIONS

23.1. See Exhibit G for Areas of Special Notice related to the status and maintenance of on-site water and wastewater utility lines on JBSA-Sam Houston.

24. RIGHTS NOT IMPAIRED

24.1. Rights Not Impaired. Nothing contained in this Easement shall be construed to diminish, limit, or restrict any right, prerogative, or authority of the Government over the Easement Areas relating to the security or mission of the Installation, the health, welfare, safety, or security of persons on the Installation, or the maintenance of good order and discipline on the Installation, as established in law, regulation, or military custom.

24.2. Installation Access. The Grantee acknowledges that it understands that the Installation is an operating military Installation that could remain closed to the public and accepts that the Grantee's operations may from time to time be restricted temporarily or permanently due to the needs of national defense. Access on the Installation may also be restricted due to inclement weather and natural disasters. The Grantee further acknowledges that the Government strictly enforces federal laws and Air Force regulations concerning controlled substances (drugs) and that personnel, vehicles, supplies, and equipment entering the Installation are subject to search and seizure under 41 C.F.R. § 102-74-370. The Government will use reasonable diligence in permitting the Grantee access to the Easement Areas at all times, subject to the provisions of this paragraph. Notwithstanding the foregoing, the Grantee agrees the Government will not be responsible for lost time or costs incurred due to interference, delays in entry, temporary loss of access, barring of individual employees from the base under federal laws authorizing such actions, limitation, or withdrawal of an employee's on-base driving privileges, or any other security action that may cause employees to be late to, or unavailable at, their work stations, or delay arrival of parts and supplies. The Government retains the right to refuse access to the Easement Areas by the Grantee Parties. The Grantee, its assignees, employees, and invitees fully agree to abide with all access restrictions imposed by the Government in the interest of national defense.

24.3. Permanent Removal and Disbarment. Notwithstanding anything contained in this Easement to the contrary, the Government has the right at all times to order the permanent removal and disbarment of anyone from the Installation, including but not limited to assignees, if it believes, in its sole discretion, that the continued presence on the Installation of that person represents a threat to the security or mission of the Installation,

poses a threat to the health, welfare, safety, or security of persons occupying the Installation, or compromises good order and/or discipline on the Installation.

24.4. No Diminishment of Rights. Except as provided in Paragraph 24.1, nothing in this Easement shall be construed to diminish, limit, or restrict any right of the Grantee under this Lease.

25. APPLICABLE LAWS

25.1. Compliance with Applicable Laws. The Grantee shall comply, at its sole cost and expense (except for matters for which the Government remains obligated hereunder pursuant to Paragraph 16), with all Applicable Laws including without limitation, those regarding development, demolition, maintenance, operation, sanitation, licenses, or permits to do business, protection of the environment, pollution control and abatement, occupational safety and health, and all other related matters. The Grantee shall be responsible for determining whether it is subject to local building codes or building permit requirements, and for compliance with them to the extent they are applicable.

25.1.1. "Applicable Laws" means, collectively, all present and future laws, ordinances, rules, requirements, regulations, and orders of the United States, the State where the Easement Areas is located and any other public or quasi-public federal, State, or local authority, and/or any department or agency thereof, having jurisdiction over the Project ("Project" means, collectively, the Easement Areas and the Easement Areas Improvements) and relating to the Project or imposing any duty upon the Grantee with respect to the use, occupation, or alteration of the Project during the Easement Term.

25.2. Permits, Licenses and Approvals. The Grantee will be responsible for and obtain, at its sole expense, prior to the commencement of development and demolition, and upon completion of the building of Easement Areas Improvements, any approvals, permits, or licenses that may be necessary to develop, occupy, and operate the Grantee Improvements and Grantee Equipment in compliance with all Applicable Laws.

25.3. No Waiver of Sovereign Immunity. Nothing in this Easement shall be construed to constitute a waiver of federal supremacy or federal sovereign immunity. Only laws and regulations applicable to the Easement Areas under the Constitution and statutes of the United States are covered by this Paragraph. The United States presently exercises concurrent federal jurisdiction over the Easement Areas.

25.4. Grantee Responsibility for Compliance. Responsibility for compliance as specified in this Paragraph 25 rests exclusively with the Grantee. The Government assumes no enforcement or supervisory responsibility, except with respect to matters committed to its jurisdiction and authority. The Grantee shall be liable for all costs associated with compliance, defense of enforcement actions or suits, payment of fines,

penalties, or other sanctions and remedial costs related to the Grantee's use and occupation of the Easement Areas.

25.5. Grantee Right to Contest. The Grantee shall have the right to contest by appropriate proceedings diligently conducted in good faith, without cost or expense to the Government, the validity or application of any law, ordinance, order, rule, regulation, or requirement of the nature referred to in this Paragraph 25. The Government shall not be required to join in or assist the Grantee in any such proceedings.

25.6. Minimum Wage Requirement. The Parties expressly stipulate this Easement is subject to Executive Order 13658 and the regulations issued by the Secretary of Labor in 29 CFR Part 10 pursuant to the Executive Order. Thereby, "Appendix A of 29 CFR Part 10-Contract Clause" is incorporated by reference herein.

26. AVAILABILITY OF FUNDS

26.1. The obligations of any Party to this Easement or of any transferee of the Easement shall be subject to the availability of appropriated funds for any such obligation, unless such Party or transferee is a non-appropriated fund instrumentality of the United States. No appropriated funds are obligated by this Easement.

27. CONGRESSIONAL REPORTING

27.1. This Easement is not subject to 10 U.S.C. § 2662.

28. AMENDMENTS

28.1. Amendments. This Easement may be amended at any time by mutual agreement of the Parties in writing and signed by a duly authorized representative of each of the respective Parties. Amendments to this Easement executed on behalf of the Government must be signed at the level of the Director or higher. Such amendments may include, but are not limited to, extensions of the Easement Termination Date.

29. GENERAL INDEMNIFICATION BY GRANTEE

29.1. The Government agrees to be liable for any claims for damages, response, remediation or other costs resulting from pre-existing conditions on the Easement Areas subject to Section 17.1 herein. The Grantee agrees to be liable for any claims for damages, response, remediation or other costs to the extent caused by its acts, errors or omissions.

29.1.1. The Grantee agrees to assume all risks of loss or damage to property and injury or death to persons by reason of or incident attributable or incident to the condition or state of repair of the Easement Areas or to its possession and/or use of the Premises or the activities conducted under this Easement. The Grantee expressly waives all claims against

the Government for any such loss, damage, personal injury or death caused by or occurring as a consequence of such condition, possession and/or use of the Easement Areas by the Grantee, or the conduct of activities or the performance of responsibilities under this Easement by the Grantee. The Grantee further agrees to indemnify and hold harmless the Government, its officers, agents and employees, from and against all suits, claims, demands or actions, liabilities, judgments, costs and attorneys' fees arising out of, or in any manner predicated upon, personal injury, death or property damage resulting from, related to, caused by or arising out of the possession and/or use of the Easement Areas by the Grantee. The Government will give the Grantee notice of any claim against it covered by this indemnity as soon as practicable after learning of such claim.

29.1.2. The Government shall not be responsible for damages to property or injuries to persons which may arise from or be incident to the exercise of the privileges herein granted, or for damages to the property of the Grantee, or for damages to the property or injuries to the person of the Grantee's officers, agents or employees or others who may be on the Easement Areas at their invitation or the invitation of any one of them, and the Grantee shall hold the Government harmless from any and all such claims not including damages due to the fault or negligence of the Government or its contractors.

29.1.3. Subject to the conditions hereinafter set forth, the Grantee shall indemnify and hold harmless the Government from any loss, cost, claim, damage, fine, expense, fee or any other liability of whatever nature (collectively "Government Liabilities") imposed upon or sustained by the Government: (1) by or as a result of any action of any Federal, state or local agency or authority resulting from the release or threatened release of any hazardous substances, pollutants, contaminants, or waste into any environmental medium arising or by reason of any operation on the Easement Areas by the Grantee or any affiliate, or the Grantee's agents, employees or contractors; or (2) by or as a result of any action of any party other than a Federal, state or local agency or authority resulting from the release or threatened release of any hazardous substances, pollutants, contaminants, or waste into any environmental medium arising or by reason of any operation on the Easement Areas by the Grantee or any affiliate, or the Grantee's agents, employees or contractors; or (3) by or as the result of the violation of any Federal or state environmental law by the Grantee or any affiliate, or the Grantee's agents, employees or contractors; or (4) under CERCLA, or any similar state law as a result of the shipment or disposal of any hazardous substances, pollutants, contaminants, or waste in a manner giving rise to liability under those statutes by the Grantee or any affiliate (collectively, the "Government Indemnified Claims").

29.1.4. **Indemnified Costs.** The Grantee's obligation with respect to the Government's Indemnified Claims shall include and shall not be limited to payment of all liabilities which the Government is required to pay pursuant to a valid judgment of a competent court or a valid administrative order of a competent regulatory agency or pursuant to any settlement which the Grantee has approved in writing, which approval shall not be unreasonably withheld; provided, however, that a rejection of any settlement offer as a result of a good faith judgment by the Grantee that the potential judgment plus attorney's fees and costs,

including consultant and expert witness fees, would not exceed the settlement amount shall not be deemed to be unreasonable.

29.1.5. The provisions of 29.1.3. and 29.1.4. shall survive the expiration or termination of this Easement, and the Grantee's obligations under Paragraph 29 shall apply whenever the Government incurs costs or liabilities of the types described in this Paragraph 29.1.3. and 29.1.4.

29.1.6. The agreements of Grantee contained in this Paragraph 29 do not extend to claims caused by the gross negligence or willful misconduct of officers, agents, contractors, or employees of the United States without contributory fault on the part of any other person, firm, or corporation. The Government will give the Grantee notice of any claim against it covered by this indemnity as soon as practicable after learning of it.

30. ENTIRE AGREEMENT

30.1. It is expressly agreed that this written instrument, together with the provisions of other documents that are expressly incorporated by reference by the terms of this Easement, embodies the entire agreement between the Parties regarding the use of the Easement Areas by the Grantee. Except as set forth in Paragraph 1.3.1. above, in the event of any inconsistency between the terms of this Easement and of any provision that has been incorporated by reference, the terms of this Easement shall govern. There are no understandings or agreements, verbal or otherwise, between the Parties except as expressly set forth in this Easement. This instrument may only be modified or amended by mutual agreement of the Parties in writing and signed by each of the Parties.

31. CONDITION AND PARAGRAPH HEADINGS

31.1. The brief headings or titles preceding each Paragraph are merely for purposes of identification, convenience, and ease of reference, and will be completely disregarded in the construction and interpretation of this Easement.

32. STATUTORY AND REGULATORY REFERENCES

32.1. Any reference to a statute or regulation in this Easement shall be interpreted as being a reference to the statute or regulation as it has been or may be amended from time to time.

33. PRIOR AGREEMENTS

33.1. This Easement supersedes all prior agreements, if any, to the Grantee for the Premises, but does not terminate any obligations of the Grantee under such prior Easements that may by their terms survive the termination or expiration of those Easements, except to the extent such obligations are inconsistent with this Easement. In the event that any prior

lease or other agreement between the Parties, or their predecessors in interest, for the use and occupancy of the Easement Areas has expired prior to the execution of this Easement, the Parties acknowledge that the Grantee, either directly or through its predecessors in interest, has had continuous use and occupancy of the Easement Areas pursuant to the prior agreement since the expiration of the prior agreement.

34. LIST OF EXHIBITS

LIST OF EXHIBITS

Exhibit A - Map of Easement Areas
Exhibit B - Legal Description of Easement Areas
Exhibit C - Non-Exclusive List of Outgrants
Exhibit D - Physical Condition Report
Exhibit E - Environmental Baseline Survey/AF Form 813
Exhibit F - Areas of Special Notice

GOVERNMENT SIGNATURE PAGE TO EASEMENT

IN WITNESS WHEREOF, the United States of America has executed this Easement effective as of 17 Aug 2022.

THE UNITED STATES OF AMERICA,
acting by and through the Secretary of the Air Force

TEPPERMAN.JUDITH.HYMAN.1251891946

Digitally signed by TEPPERMAN.JUDITH.HYMAN.1251891946
Date: 2022.08.17 11:03:18 -05'00'

JUDITH H. TEPPERMAN, GS-15, DAF
Chief, Real Property Management Division
Installation Directorate

[GRANTEE SIGNATURE PAGE TO LEASE]

THIS LEASE is also executed by the Grantee as of this 30th day of March 2022.

TRC Government Services, LLC

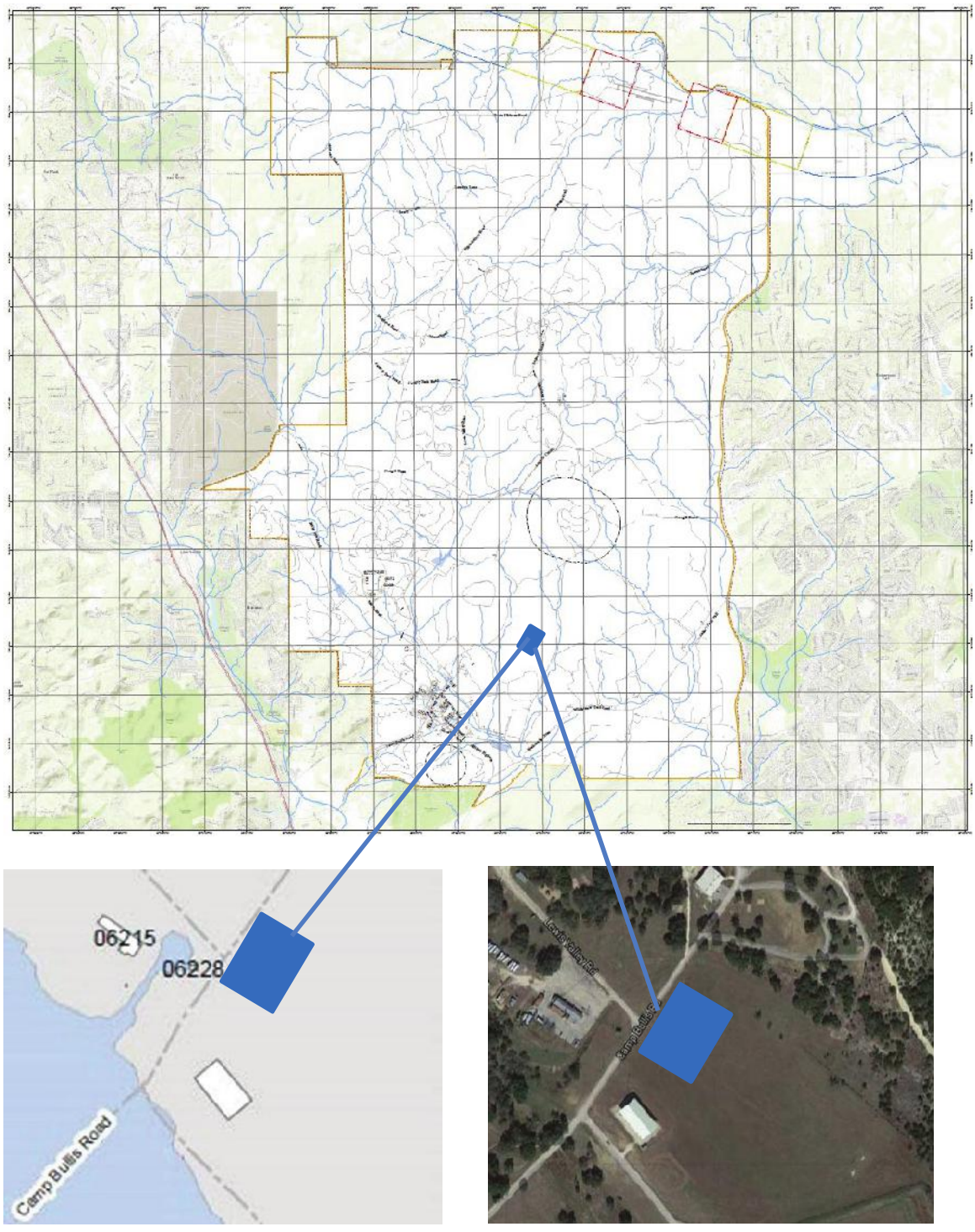
By: _____
RICHARD GROSSMAN
President

EXHIBIT A-1

MAP OF EASEMENT AREA, JBSA-FORT SAM HOUSTON

EXHIBIT A-2

MAP OF EASEMENT AREA, JBSA-CAMP BULLIS



Form approved by
SAF/GCN 29 Mar 2022
Previous versions are obsolete

EXHIBIT B-1

LEGAL DESCRIPTION OF EASEMENT AREAS, JBSA-FORT SAM HOUSTON

DESCRIPTION FOR LEASE SITE

DESCRIPTION OF 1.985 ACRES OR 86,448 SQUARE FEET OF LAND, MORE OR LESS, OUT OF THE GUILLERMA NUNEZ SURVEY NO. 151, ABSTRACT NO. 548, IN BEXAR COUNTY, TEXAS, AND BEING LOCATED ON UNITED STATES GOVERNMENT PROPERTY KNOWN AS FT. SAM HOUSTON; SAID 1.985 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a spindle set at the southwest corner of this tract, from which the approximate centerline intersection of Procurement Street and Ludington Road bears S85°35'W ±95'; said point of beginning having a State Plane Coordinate (Texas South Central Zone, NAD83 (96) CORS, U.S. Feet) grid values of N=13,710,722.74, E=2,146,861.58;

THENCE, with the west, north, east, and south line of this tract, crossing United States Government tract, the following four (4) courses, numbered 1 through 4;

1. **N23°50'36"E 308.83 feet** to a 1/2" iron rod set with a plastic cap at the northwest corner of this tract;
2. **S66°09'24"E 298.76 feet** to a 1/2" iron rod set with a plastic cap at the northeast corner of this tract;
3. **S30°48'06"W 311.13 feet** to a 1/2" iron rod set with a plastic cap at the southeast corner of this tract; and
4. **N66°09'24"W 261.07 feet** to the POINT OF BEGINNING and containing 1.985 acres or 86,448 square feet, more or less, within these metes and bounds.

Bearing Basis Note

The bearings described herein are Texas State Plane Grid bearings (Texas South Central Zone, NAD83(96) CORS ADJUSTMENT 2002. All coordinates described herein are grid values expressed in units of U.S. Survey Feet.

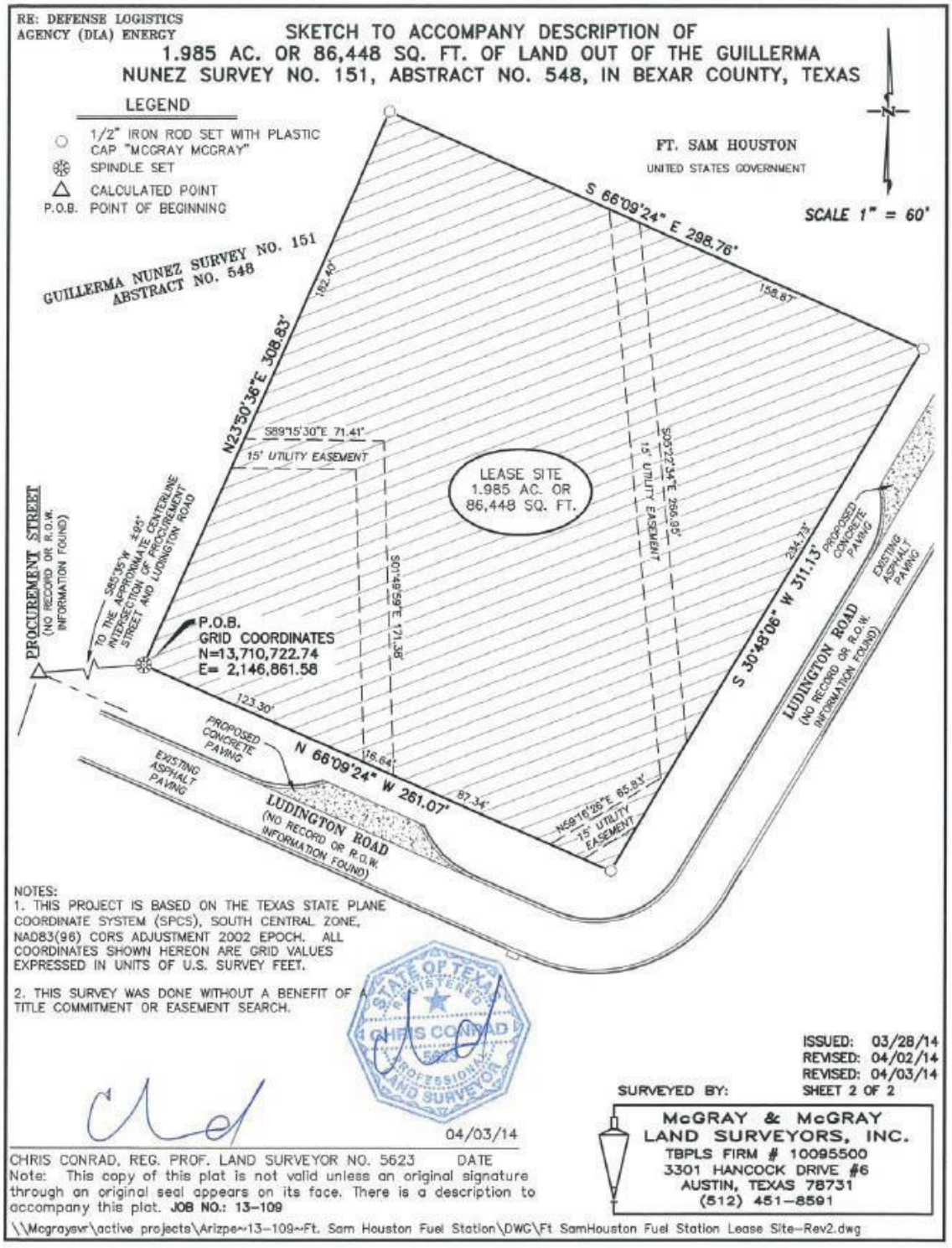
SURVEYED BY:

McGRAY & McGRAY LAND SURVEYORS, INC.
3301 Hancock Dr., Ste. 6
Austin, TX 78731 (512) 451-8591
TBPLS Firm #10095500

04/03/14
Chris Conrad, Reg. Professional Land Surveyor No. 5623 Date

Note: This copy of this description is not valid unless an original signature through an original seal appears on its face. There is a plat to accompany this description.
2014/Descriptions/Arizpe/Ft Sam Houston Lease Site Rev
Issued 03/28/14, Revised 04/02/14, 04/03/14

EXHIBIT B-1 (continued)



NOTES:
1. THIS PROJECT IS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM (SPCS), SOUTH CENTRAL ZONE, NAD83(96) CORS ADJUSTMENT 2002 EPOCH. ALL COORDINATES SHOWN HEREON ARE GRID VALUES EXPRESSED IN UNITS OF U.S. SURVEY FEET.

2. THIS SURVEY WAS DONE WITHOUT A BENEFIT OF A TITLE COMMITMENT OR EASEMENT SEARCH.

STATE OF TEXAS REGISTERED CHRIS CONRAD 5623 PROFESSIONAL LAND SURVEYOR

04/03/14

CHRIS CONRAD, REG. PROF. LAND SURVEYOR NO. 5623 DATE

Note: This copy of this plat is not valid unless an original signature through an original seal appears on its face. There is a description to accompany this plat. JOB NO.: 13-109

ISSUED: 03/28/14
REVISED: 04/02/14
REVISED: 04/03/14
SURVEYED BY: SHEET 2 OF 2

McGRAY & McGRAY
LAND SURVEYORS, INC.
TBPLS FIRM # 10095500
3301 HANCOCK DRIVE #6
AUSTIN, TEXAS 78731
(512) 451-8591

\\Mcgraysvr\active projects\Arizpe~13-109~Ft. Sam Houston Fuel Station\DWG\Ft SamHouston Fuel Station Lease Site-Rev2.dwg

EXHIBIT B-2
LEGAL DESCRIPTION OF EASEMENT AREAS, JBSA-CAMP BULLIS

DESCRIPTION FOR LEASE SITE

DESCRIPTION OF 3.016 ACRES OR 131,370 SQUARE FEET OF LAND, MORE OR LESS, OUT OF THE JAMES MADISON SURVEY NO. 3, ABSTRACT NO. 386, IN BEXAR COUNTY, TEXAS, AND BEING LOCATED ON UNITED STATES GOVERNMENT PROPERTY KNOWN AS CAMP BULLIS; SAID 3.016 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod set with a plastic cap at the southwest corner of this tract, from which the approximate centerline intersection of Camp Bullis Road and Wilderness Trail bears S40°16'W ±400'; said point of beginning having a State Plane Coordinate (Texas South Central Zone, NAD83 (96) CORS, U.S. Feet) grid values of N=13,781,989.11, E=2,103,257.18;

THENCE, with the west, north, east, and south line of this tract, crossing United States Government tract, the following four (4) courses, numbered 1 through 4;

1. **N33°59'00"E 302.00 feet** to a 1/2" iron rod set with a plastic cap at the northwest corner of this tract;
2. **S56°01'00"E 435.00 feet** to a 1/2" iron rod set with a plastic cap at the northeast corner of this tract;
3. **S33°59'00"W 302.00 feet** to a 1/2" iron rod set with a plastic cap at the southeast corner of this tract; and
4. **N56°01'00"W 435.00 feet** to the POINT OF BEGINNING and containing 3.016 acres or 131,370 square feet, more or less, within these metes and bounds.

Bearing Basis Note

The bearings described herein are Texas State Plane Grid bearings (Texas South Central Zone, NAD83(96) CORS ADJUSTMENT 2002. All coordinates described herein are grid values expressed in units of U.S. Survey Feet.

SURVEYED BY:

McGRAY & McGRAY LAND SURVEYORS, INC.
3301 Hancock Dr., Ste. 6
Austin, TX 78731 (512) 451-8591
TBPLS Firm #10095500

STATE OF TEXAS
REGISTERED
CHRIS CONRAD
5623
PROFESSIONAL
LAND SURVEYOR

04/02/14
Chris Conrad, Reg. Professional Land Surveyor No. 5623 Date

Note: This copy of this description is not valid unless an original signature through an original seal appears on its face. There is a plat to accompany this description.
2014/Descriptions/Arizpe/Camp Bullis Lease Site Rev
Issued 03/28/14, Revised 04/02/14

EXHIBIT B-2 (continued)

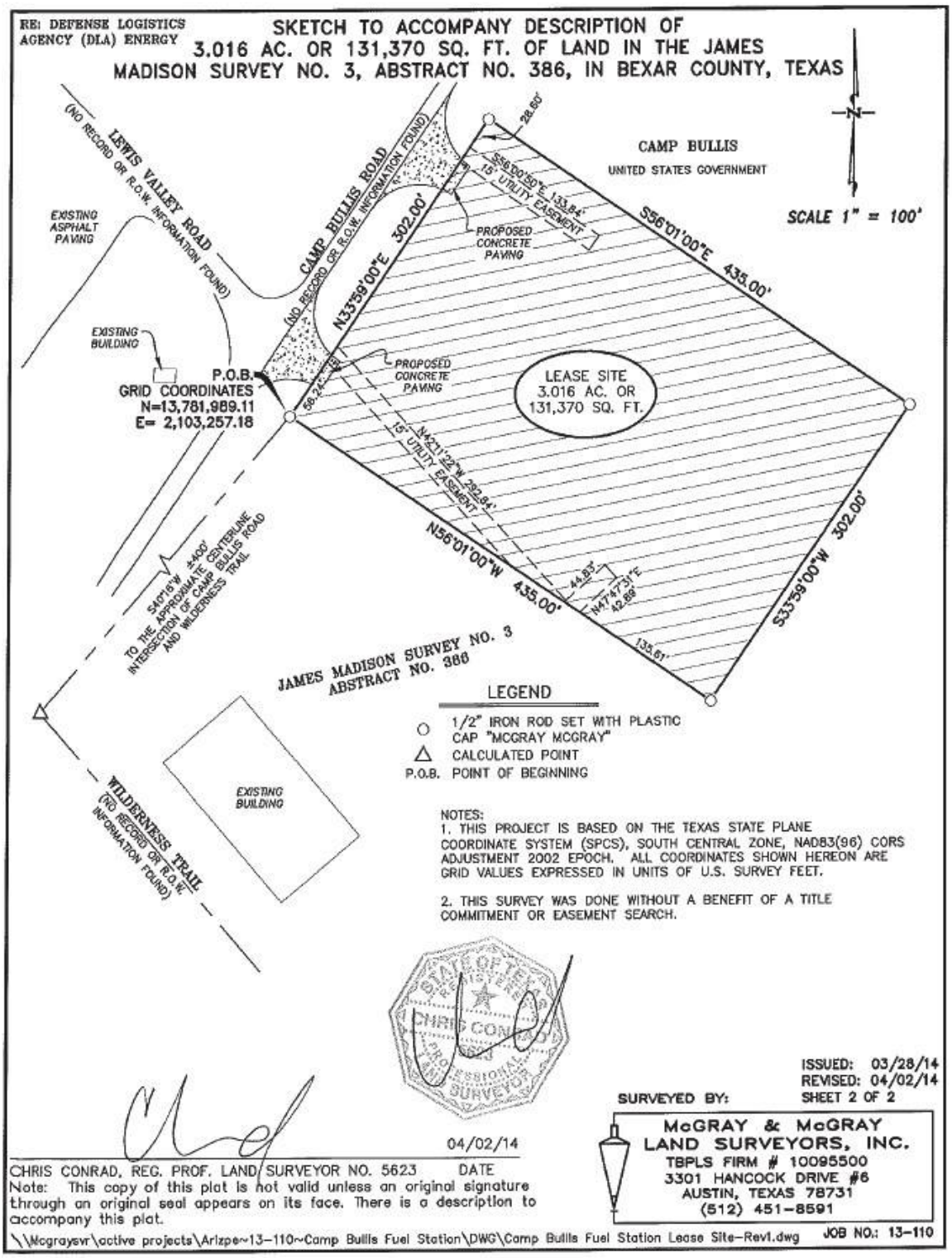


EXHIBIT C

NON-EXCLUSIVE LIST OF OUTGRANTS

None

EXHIBIT D

PHYSICAL CONDITION REPORT

As of **28 October 2019**

This is to confirm that the undersigned, as the Grantee of the Easement Areas pursuant to that certain Easement of Property dated as of the date first set forth above by and between the Secretary of the Air Force (the "Government"), and the undersigned, which Easement Areas consists of **1.985 acres or 86,448 sf of land located at JBSA-Sam Houston and 3.016 acres or 131,370 sf of land located at JBSA-Camp Bullis**, has inspected the Easement Areas and all environmental reports concerning the Easement Areas provided to the undersigned by the Government, is familiar with the condition and characteristics of the Easement Areas and agrees, except as otherwise expressly provided in the Lease of Property, to accept the Easement Areas in "as-is, where-is" condition, without any representation or warranty by the Government concerning the condition of the Easement Areas and without obligation on the part of the Government to make any alterations, repairs, additions, or improvements to the Easement Areas all in accordance with and subject to the terms of the aforementioned Easement of Property. Except as otherwise defined in this Acknowledgement, the terms used herein shall have the same meanings as set forth in the Easement Areas.

Grantee:

By: _____

Name: RICHARD GROSSMAN
Title: President, TRC Government Services, LLC DBA TRC Government Services

Government:

GAZTAMBIDE.FRANKLYN.12283397853
Digitally signed by GAZTAMBIDE.FRANKLYN.12283397853
Date: 2022.04.05 16:26:13 -05'00'

By: _____

Name: FRANKLYN GAZTAMBIDE
Title: Real Property Specialist

Form approved by
SAF/GCN 29 Mar 2022
Previous versions are obsolete

EXHIBIT E

ENVIRONMENTAL BASELINE SURVEY (EBS)

EBS conducted March 2013 and Supplemental EBS conducted March and April 2022 are a separate attachment from this Easement document.

EXHIBIT E (continued)
AF FORM 813, REQUEST FOR ENVIRONMENTAL IMPACT ANALYSIS

REQUEST FOR ENVIRONMENTAL IMPACT ANALYSIS		Report Control No. 19-084
INSTRUCTIONS: *Section 1 to be completed by Proponent; Sections II and III to be completed by Environmental Planning Function. Continue on separate sheets as necessary. Reference appropriate item number(s).*		
SECTION I – PROPONENT INFORMATION		
1. TO *(Environmental Planning Function)* 802 CES/CEIE	2. FROM *(Proponent organizational symbol)* 502 CEG/CERR	2a. PHONE NO. 210-671-4372
3. TITLE OF PROPOSED ACTION BUL/SAM: Land Lease for Contractor (TBD) to build Military Service Stations		
4. PURPOSE AND NEED FOR ACTION *(Identify decision to be made and need date)* See page 2		
5. DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES *(DOPAA) (Provide sufficient details for evaluation of the total action.)* See page 2		
6. PROPONENT APPROVAL *(Name and Grade)* RODRIGUEZ, ROBERT T. GS-11	6a. SIGNATURE RODRIGUEZ.ROBERT.TRINIDAD.1125490669 Digitally signed by RODRIGUEZ.ROBERT.TRINIDAD.1125490669 Date: 2019.04.05 10:01:30 -05'00'	6b. DATE 20190405

SECTION II – PRELIMINARY ENVIRONMENTAL SURVEY. *(Check appropriate box and describe potential effects including cumulative effects.) (+ = positive effect; 0 = no effect; - = adverse effect; U = unknown effect)*	+	0	-	U
7. AIR INSTALLATION COMPATIBLE USE ZONE/LAND USE *(Noise, accident potential, encroachment, etc.)*	☐	■	☐	☐
8. AIR QUALITY *(Emissions, attainment status, state implementation plan, etc.)*	☐	■	☐	☐
9. WATER RESOURCES *(Quality, quantity, source, etc.)*	☐	■	☐	☐
10. SAFETY AND OCCUPATIONAL HEALTH *(Asbestos/radiation/chemical exposure, explosives safety quantity-distance, bird/wildlife aircraft hazard, etc.)*	☐	■	☐	☐
11. HAZARDOUS MATERIALS/WASTE *(Use/storage/generation, solid waste, etc.)*	☐	■	☐	☐
12. BIOLOGICAL RESOURCES *(Wetlands/floodplains, threatened or endangered species, etc.)*	☐	■	☐	☐
13. CULTURAL RESOURCES *(Native American burial sites, archaeological, historical, etc.)*	☐	■	☐	☐
14. GEOLOGY AND SOILS *(Topography, minerals, geothermal, Environmental Restoration Program, seismicity, etc.)*	☐	■	☐	☐
15. SOCIOECONOMIC *(Employment/population projections, school and local fiscal impacts, etc.)*	☐	■	☐	☐
16. OTHER *(Potential impacts not addressed above.)*	☐	■	☐	☐

SECTION III – ENVIRONMENTAL ANALYSIS DETERMINATION

17. ■ PROPOSED ACTION QUALIFIES FOR CATEGORICAL EXCLUSION (CATEX) # A2.3.19 OR
☐ PROPOSED ACTION DOES NOT QUALIFY FOR A CATEX; FURTHER ENVIRONMENTAL ANALYSIS IS REQUIRED

18. REMARKS

IAW 32 CFR 989, Appendix B, Categorical Exclusion (CATEX) A2.3.19 applies, "Granting easements, leases, licenses, right of entry, and permits to use Air Force controlled property for activities that, if conducted by the Air Force, could be categorically excluded in accordance with this Appendix. The EPF must document application of this CATEX on AF Form 813." Proposed action would qualify for A2.3.11 if it were conducted by the Air Force (continued in section 18 below). If the scope or nature of the activity changes after the certification of this document a new Environmental Impact Analysis Request (AF Form 813) is required for compliance.

APPROVAL DOCUMENTATION (enabled for digital signature – click here for instructions)

19a. ENVIRONMENTAL PLANNING (Certified)	19b. STAFF JUDGE ADVOCATE (Reviewed)	19c. Staff Judge Advocate Comments
SMITH.SETH.S.1179078003 Digitally signed by SMITH.SETH.S.1179078003 Date: 2019.10.25 09:10:11 -05'00'	MULHEARN.MARY.H.1525580748 Digitally signed by MULHEARN.MARY.H.1525580748 Date: 2019.10.18 16:03:26 -05'00'	☐ See attached Legal Opinion ■ No Legal Opinion attached

AF FORM 813 (Joint Base San Antonio) Form Date: 06/15/2018 PAGE 1 OF 4

Form approved by
SAF/GCN 29 Mar 2022
Previous versions are obsolete

EXHIBIT E (continued)

AF FORM 813, CONTINUATION SHEET

SECTION I. PROPONENT INFORMATION

4. Purpose and need for action:

4.1 Purpose of the action: The intent of the agreement is to provide contractor services for the operation and maintenance of a Contractor-Owner-Contractor-Operated (COCO) fuel facilities at JBSA-Fort Sam Houston and Camp Bullis (fuel services contract).

4.2 Need for the action: The need for action is to ensure contractor (TBD) has the proper authority to operate the bulk fuel facilities on JBSA-FSH and JBSA-BUL.

5. Description of the proposed action and alternatives:

5.1 Description of the proposed action: The proposed action is to grant a lease to contractor (TBD) to operate bulk fueling facilities on JBSA-FSH and JBSA-BUL. The land lease of real property would be for 20 years located on JBSA-FSH and resting on 1.985 acres or 86,448 square feet of land and the other located on JBSA-BUL and resting on 3.016 acres or 131,370 square feet.

5.2 Description of alternatives: No-action alternative

5.3 Design, evaluation, and selection criteria:

5.3.1 Mission requirements: The mission of the 502 CEG/CERR is, in part, to ensure that existing leases at Joint Base San Antonio (JBSA) property are in place to granting the lessor the proper authority to operate the bulk fuel facilities.

5.3.2 Environmental standards:

Applicable environmental standards include, but are not limited to, Clean Air Act, Clean Water Act, Edwards Aquifer rules, and other applicable state and federal laws and regulations.

5.4 Description of the decision that must be made and identification of the decision-maker:

The decision that must be made is whether or not to to carry out the proposed action without further environmental analysis. The 502 ABW/CC is the decision-maker. A decision is expected by 31 OCT 2019.

6. Robert T. Rodriguez is the proponent representative responsible for updating leadership about the status of the EIAP and ensuring compliance with the findings of this document.

SECTION II. PRELIMINARY ENVIRONMENTAL SURVEY

None. The rationale is provided below.

7. Air Installation Compatible Use Zone/Land Use *(Noise, accident potential, encroachment, etc.)*

Activity is in compliance with airfield clearance criteria, including clear zone, accident potential zone, frangibility requirements, and airfield airspace (height obstruction) criteria and poses no potential threat to flight safety.

AF FORM 813 (Joint Base San Antonio) Form Date: 06/15/2018 PAGE 2 OF 4

EXHIBIT E (continued)

AF FORM 813, CONTINUATION SHEET

8. Air quality *(Emissions, attainment status, state implementation plan, etc.)*
All sources must be identified to the Air Program Manager prior to service and all other requirements identified by the Air Program Manager shall be complied with. Air impact assessment indicates no significant impact to air quality (see *Environmental Assessment of Military Service Station Privatization at Five AETC Installations*, October 2013) The EA is included as part of this 813 package. Joint Base San Antonio is located in an area that is not in attainment for ozone. The emissions evaluated as part of this 813, based on modeling estimates developed in the EA, are minimal. The EA was prepared prior to Bexar County, Texas being designated in non-attainment area for the ozone National Ambient Air Quality Standards (Federal Register Volume 83, Issue 143; July 25, 2018). The operating ozone and ozone precursors are below the 100 TPY threshold for VOC and NOx, which is the *de minimis* value for a region in marginal non-attainment. The service stations will be company owned and company operated facilities.

9. Water resources *(Quality, quantity, source, etc.)*
Activity will not generate water pollutants.

10. Safety and occupational health *(Asbestos/radiation/chemical exposure, explosives safety quantity-distance,bird/wildlife aircraft hazard, etc.)*
Activity does not involve storage or handling of explosives. Asbestos is not]present. Lead based paint is not present. Activity will not utilize ozone depleting substances. Polychlorinated biphenyls (PCBs) are not present. Radon is not present.

11. Hazardous materials/waste *(Use/storage/generation, solid waste, etc.)*
Solid waste generated as a result of fuel operations must be dealt with in accordance with base, state, and federal requirements. Activity will not require storage of hazardous materials, hazardous waste, or solid waste.

12. Biological resources *(Wetlands/floodplains, threatened or endangered species, etc.)*
Activity does not involve construction, which was addressed in the EA. Activity will have no effect on federally endangered, threatened, or protected species or their habitat.

13. Cultural resources *(Native American burial sites, archaeological, historical, etc.)*
The proposed outgrant will not affect cultural resources.

14 Geology and soils *(Topography, minerals, geothermal, ERP, seismicity, etc.)*
The proposed activity will not affect restoration sites. Activity will not cause soil erosion. There are no seismic concerns.

15 Socioeconomic *(Employment/population projections, school and local fiscal impacts, etc.)*
The proposed action will not have disproportionately high and adverse human health or environmental effects on minority and low-income populations.

Form approved by
SAF/GCN 29 Mar 2022
Previous versions are obsolete

EXHIBIT E (continued)

AF FORM 813, CONTINUATION SHEET

16 Other *(Potential impacts not addressed above.)*
Activity complies with minimum energy and water conservation performance standards. Activity is in accordance with General Plan and is within a compatible land use area.

SECTION III. ENVIRONMENTAL ANALYSIS DETERMINATION
17 Proposed activity determination
The construction and operation of military service stations was evaluated in the Environmental Assessment of Military Service Station Privatization at Five AETC Installations, October 2013, which resulted in a Finding of No Significant Impact. This 813 addresses executing an outgrant for the contractor to provide the services at the facilities as described and evaluated in the EA.

18 Remarks:
*IAW 32 CFR 989, Appendix B, Categorical Exclusion (CATEX) A2.3.19 applies; "granting easements, leases, licenses, rights of entry, and permits to use Air Force controlled property for activities that, if conducted by the Air Force, could be categorically excluded in accordance with Appendix B to CFR Part 989". Specifically, CATEX A2.3.11 applies because the preferred alternative was evaluated in the FINAL ENVIRONMENTAL ASSESSMENT OF MILITARY SERVICE STATION PRIVATIZATION AT FIVE AETC INSTALLATIONS. This assessment received a Finding of No Significant Impact on 22 Oct 2013.

18.1 Required plans
None required.
18.2 Required permits or licenses (modified or new)
None specified. Contractor is responsible for identifying requirements for and obtaining any permits and/or licenses necessary to conduct its operations.

18.4 Entitlements/Easements
Outgrant document required through JBSA for contractor to occupy and operate the fueling facilities.

AF FORM 813 (Joint Base San Antonio) Form Date: 06/15/2018 PAGE 4 OF 4

EXHIBIT F

AREAS OF SPECIAL NOTICE

DEPARTMENT OF THE AIR FORCE
502D AIR BASE WING
JOINT BASE SAN ANTONIO

08 April 2019

MEMORANDUM FOR RECORD

SUBJECT: JBSF130001-DLA Fuel Station Fort Sam Houston
Status and Maintenance of On-Site Water and Wastewater Utility Lines

1. The existing 8-inch water line and 15-inch wastewater line crossing the site of the proposed FSH Fuel Station are not owned and are not maintained by the San Antonio Water System (SAWS). The 8-inch water line and 15-inch wastewater line are owned by Fort Sam Houston and are maintained by Operations, 502d Civil Engineer Squadron.

2. If repairs are needed to the waterline, the Civil Engineer Squadron shall cut the pavement, repair the waterline, and patch the pavement with new concrete or asphalt.

3. If repairs are needed to the wastewater line, the Civil Engineer Squadron can bypass the wastewater flow by pumping it from an upstream manhole to a downstream manhole and apply a patch to the compromised portion of the pipe using a remote method.

4. If you have questions regarding the memo, please contact Charles Baish at charles.f.baish2.civ@mail.mil, (210) 295-4784 or cell (210) 441-9492.

Charles F. Baish III Digitally signed by Charles F. Baish III Date: 2019.04.08 14:33:37 -05'00'
Charles Baish
Project Manger

LEGAL DESCRIPTIONS OF EASEMENT AREAS

EXHIBIT B-2
LEGAL DESCRIPTION OF EASEMENT AREAS, JBSA-CAMP BULLIS

DESCRIPTION FOR LEASE SITE

DESCRIPTION OF 3.016 ACRES OR 131,370 SQUARE FEET OF LAND, MORE OR LESS, OUT OF THE JAMES MADISON SURVEY NO. 3, ABSTRACT NO. 386, IN BEXAR COUNTY, TEXAS, AND BEING LOCATED ON UNITED STATES GOVERNMENT PROPERTY KNOWN AS CAMP BULLIS; SAID 3.016 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod set with a plastic cap at the southwest corner of this tract, from which the approximate centerline intersection of Camp Bullis Road and Wilderness Trail bears S40°16'W ±400'; said point of beginning having a State Plane Coordinate (Texas South Central Zone, NAD83 (96) CORS, U.S. Feet) grid values of N=13,781,989.11, E=2,103,257.18;

THENCE, with the west, north, east, and south line of this tract, crossing United States Government tract, the following four (4) courses, numbered 1 through 4;

1. **N33°59'00"E 302.00 feet** to a 1/2" iron rod set with a plastic cap at the northwest corner of this tract;
2. **S56°01'00"E 435.00 feet** to a 1/2" iron rod set with a plastic cap at the northeast corner of this tract;
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Bearing Basis Note

The bearings described herein are Texas State Plane Grid bearings (Texas South Central Zone, NAD83(96) CORS ADJUSTMENT 2002. All coordinates described herein are grid values expressed in units of U.S. Survey Feet.

SURVEYED BY:

McGRAY & McGRAY LAND SURVEYORS, INC.
3301 Hancock Dr., Ste. 6
Austin, TX 78731 (512) 451-8591
TBPLS Firm #10095500

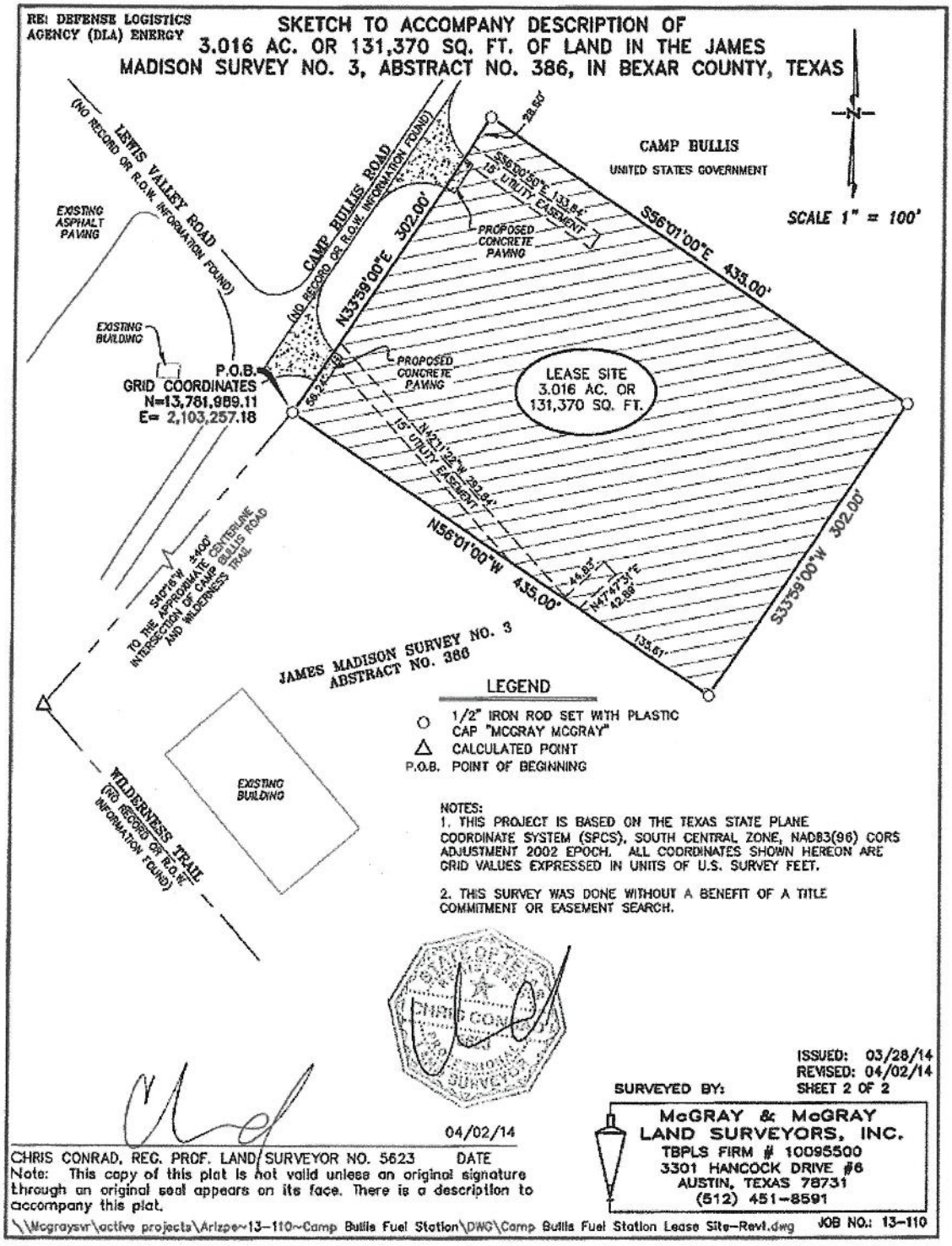
04/02/14

Chris Conrad, Reg. Professional Land Surveyor No. 5623 — Date

Note: This copy of this description is not valid unless an original signature through an original seal appears on its face. There is a plat to accompany this description.

2014/Descriptions/Arizpe/Camp Bullis Lease Site Rev
Issued 03/28/14, Revised 04/02/14

EXHIBIT B-2 (continued)



Form approved by
SAF/GCN 29 Mar 2022
Previous versions are obsolete

SCREENSHOTS FROM THE BEXAR COUNTY APPRAISAL DISTRICT'S WEBSITE

Bexar CAD

Property Search Results > 615484 UNITED STATES GOVERNMENT for Year 2023

Tax Year: 2023

Property

Account

Property ID:	615484	Legal Description:	NCB 16386 P-1A 1.791 AC CB 4806 P-1 ABS 838 160.000 /CAMP BULLIS/(SEE NOTES FOR ENTIRE LEGAL DESCRIPTION)
Geographic ID:	16386-000-0014	Zoning:	MR OCL
Type:	Real	Agent Code:	
Property Use Code:	5000		
Property Use Description:	EXEMPT - TOTAL EXEMPT		

Protest

Protest Status:	
Informal Date:	
Formal Date:	

Location

Address:	CAMP BULLIS RD BOERNE, TX 78015	Mapsco:	449A6
Neighborhood:	NBHD code52000	Map ID:	
Neighborhood CD:	52000		

Owner

Name:	UNITED STATES GOVERNMENT	Owner ID:	72248
Mailing Address:	UNION SQUARE BLDG 10101 REUNION PL SAN ANTONIO, TX 78216-4160	% Ownership:	100.0000000000%
		Exemptions:	EX-XV

Values

(+) Improvement Homesite Value:	+	$0	
(+) Improvement Non-Homesite Value:	+	$0	
(+) Land Homesite Value:	+	$0	
(+) Land Non-Homesite Value:	+	$544,922,000	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	$0	$0
(+) Timber Market Valuation:	+	$0	$0

(=) Market Value:	=	$544,922,000	
(–) Ag or Timber Use Value Reduction:	–	$0	

(=) Appraised Value:	=	$544,922,000	
(–) HS Cap:	–	$0	

(=) Assessed Value: = $544,922,000

Taxing Jurisdiction

Owner: UNITED STATES GOVERNMENT
% Ownership: 100.0000000000%
Total Value: $544,922,000

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
06	BEXAR CO RD & FLOOD	0.023668	$544,922,000	$0	$0.00
08	SA RIVER AUTH	0.018000	$544,922,000	$0	$0.00
09	ALAMO COM COLLEGE	0.149150	$544,922,000	$0	$0.00
10	UNIVERSITY HEALTH	0.276235	$544,922,000	$0	$0.00
11	BEXAR COUNTY	0.276331	$544,922,000	$0	$0.00
21	CITY OF SAN ANTONIO	0.541590	$114,433,620	$0	$0.00
55	NORTH EAST ISD	1.010500	$16,347,660	$0	$0.00
56	NORTHSIDE ISD	1.011700	$174,375,040	$0	$0.00
61	BOERNE ISD	0.993200	$277,910,220	$0	$0.00
63	COMAL ISD	1.089200	$76,289,080	$0	$0.00
78	BEXAR CO EMERG DIST #3	0.063734	$430,488,380	$0	$0.00
CAD	BEXAR APPRAISAL DISTRICT	0.000000	$544,922,000	$0	$0.00
	Total Tax Rate:	5.453308			
				Taxes w/Current Exemptions:	$0.00
				Taxes w/o Exemptions:	$10,465,481.82

Improvement / Building

No improvements exist for this property.

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	UDL	Undeveloped land	27246.1000	1186840116.00	0.00	0.00	$544,922,000	$0

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2024	N/A	N/A	N/A	N/A	N/A	N/A
2023	$0	$544,922,000	0	544,922,000	$0	$544,922,000
2022	$0	$544,922,000	0	544,922,000	$0	$544,922,000
2021	$0	$544,922,000	0	544,922,000	$0	$544,922,000
2020	$0	$544,922,000	0	544,922,000	$0	$544,922,000

Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number

2024 data current as of Oct 27 2023 2:31AM.

2023 and prior year data current as of Oct 11 2023 6:43AM

For property information, contact (210) 242-2432 or (210) 224-8511 or email.

For website information, contact (210) 242-2500.

Property Identification #: 615484

Geo ID:	16386-000-0014
Situs Address:	CAMP BULLIS RD BOERNE, TX 78015
Property Type:	Real
State Code:	X

Property Information: 2024

Legal Description:	NCB 16386 P-1A 1.791 AC CB 4806 P-1 ABS 838 160.000 /CAMP BULLIS/(SEE NOTES FOR ENTIRE LEGAL DESCRIPTION)
Abstract:	S16386
Neighborhood:	NBHD code52000
Appraised Value:	N/A
Jurisdictions:	10, 63, 78, 56, 21, CAD, 08, 06, 61, 09, 11, 55

Owner Identification #: 72248

Name:	UNITED STATES GOVERNMENT
Exemptions:	EX-XV
DBA:	CAMP BULLIS

Bexar CAD Map Search

This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The Bexar County Appraisal District expressly disclaims any and all liability in connection herewith.