2021 Renewal of the Stormwater Multi-Sector General Permit (TXR050000)

Stakeholder Meeting Summary

October 18, 2019

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Location: Building E, Second Floor, Room 201S
Time: 10:00 a.m.

TCEQ requested input on the following preliminary proposed changes:

1. Updating SIC code tables to include NAICS codes
2. Updating provisional coverage time for paper applications
3. Adding a Delegation of Signatories form on STEERS
4. Clarifying and consolidating sector-specific Numeric Effluent Limitations tables and monitoring requirements
5. Adjusting benchmark values for Biochemical Oxygen Demand in Sector T and Total Suspended Solids in Sector U
6. Clarifying reporting requirements to be consistent with the e-Reporting Rule
7. Adding items to the Notice of Intent (NOI) application
8. Adding items that require a Notice of Change (NOC)
9. Adding Stormwater pollution prevention plan (SWP3) requirements for hazardous metals waiver criteria
10. Adding SWP3 requirements for Sector J from the Construction General Permit (TXR150000), as applicable
11. Updating Sector L requirements to include new definitions and revisions in SWP3 requirements
12. Clarifying unclear language and making editorial changes throughout the permit

Stakeholders were also notified that additional revisions to the MSGP could result based on the National Academies of Sciences 2019 Study and EPA's 2020 MSGP renewal.

Meeting Q&A/Comments

C: I would like to request simplified language for record-keeping requirements in the permits regarding the SWP3. I recommend stating "All records be legible and readily available." Secondly, in STEERS the outfall numbers are prefilled and do not correspond to existing outfall numbers at a facility. Please allow us to add our own outfall labels.

Q: Why is the Mercury [minimum analytical level] MAL so low? This number is too low for laboratories to meet.

C: Please combine the two hazardous metals tables on page 72 and 73 of the permit.

Q: If we submit an NOC for a waiver from either benchmark monitoring or hazardous metals monitoring, will we still need to submit a DMR via NetDMR?

> A: This is why we are switching to require an NOC for a waiver. If a permittee submits the NOC for a waiver, this will tell the NetDMR system not to expect a DMR submittal for the facility.

C: I represent auto and scrap recyclers for the state. Hazardous metals monitoring is not present in other states. If there is a value added to water quality, we will be okay with the monitoring, but we suspect that the data indicate that the testing is not bringing about a change in quality of water. We request that Hazardous metals monitoring be removed from the MSGP.

> A: Texas is unique from other states. We have a Hazardous Metals Rule, 30 TAC Chapter 319, which requires the agency to address and regulate hazardous metals in inland and tidal waters. This monitoring is present in both our general and individual permits.

C: We know there is a large percentage of entities in Sectors M and N that never file an NOI. We recommend that enforcement be improved so all members in Sectors M and N are enforced upon equally across the state.

> A: Thank you for your comment. We will share your comment with our Office of Compliance and Enforcement.

C: Please allow more time from when the NOI is available to the deadline when the NOI must be submitted [for renewal] to allow time for Water District Boards to be briefed on the stormwater requirements and to give authorization to amend SWP3 and submit NOI. If the NOI is released the day after a Board meeting, then we lose a month until the Board can give authorization to the consultant.

Q: Will MS4s see any required changes in response/in conjunction with the MSGP?

> A: These proposed changes should have minimal impact on the MS4 community.

C: Can you clarify in the next permit term the benchmark requirements for year 5?

TCEQ Final Comments

- Stakeholders comments are due **Friday, November 1, 2019**.
- Send comments via email to swgp@tceq.texas.gov with a subject line of **"MSGP 2021 Renewal"**