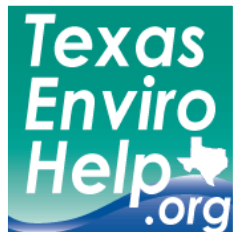
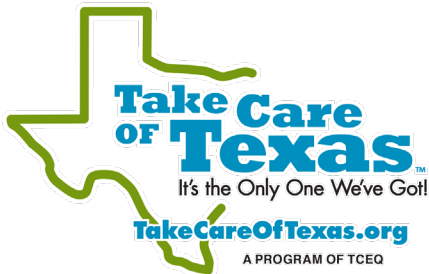




# Stormwater Construction General Permit Environmental Trade Fair 2025

**Agnieszka “Aga” Hobson & Adam N. Liuzza**

**Small Business & Local Government Assistance**  
**1-800-447-2827    [www.TexasEnviroHelp.org](http://www.TexasEnviroHelp.org)**



# Outline

- Texas Pollutant Discharge Elimination System (TPDES) Permits
- Definitions
- Authorizations
- Application and Fees
- Construction General Permits (CGP) Requirements
- Stormwater Pollution Prevention Plan (SWP3) Requirements
- Examples of Controls
- Common Permit Violations
- Non-Compliant Best Management Practices (BMPs)
- Terminating Permit Coverage
- Stormwater Contacts and Small Business and Local Government Assistance (SBLGA) Programs

# Texas Pollutant Discharge Elimination System (TPDES) Permits

# TPDES Permits for Stormwater

- Multi-Sector General Permit aka MSGP or Industrial  
-TXR050000 (renewed August 14, 2021)
- ***Construction General Permit, aka CGP or Construction***  
***-TXR150000 (renewed March 5, 2023)***
- Municipal Separate Storm Sewer Systems, aka MS4s
  - Phase I- large and medium cities
  - Phase II- small cities: TXR040000 (renewed August 15, 2024)

# Definitions

# What is Stormwater and What is Discharge?

- Stormwater (Stormwater Runoff) is defined as rainfall runoff, snow melt runoff, and surface water runoff and drainage.
- Discharge is a release of pollutants in stormwater from construction activities.



# What is Construction?

- Construction is an activity that results in soil disturbance, which includes:

- Land clearing
- Grading
- Excavation
- Demolition
- Road expansion



# Construction Does Not Include:

- Routine maintenance or grading of existing roads
- Tree removal without soil disturbance
- Agricultural activities



# Authorizations

# What Does the CGP Authorize?

- Stormwater discharges associated with construction activities like clearing, grading, stockpiling and demolition.
- Stormwater discharges associated with construction support activities like concrete batch plants, material storage facilities, and material disposal areas.
- Certain non-stormwater discharges like a fire-fighting run-off, uncontaminated fire hydrant flushing, and lawn watering.

TXR150000 Part II, Section A, 1,2,&3

# Size of Construction Site

- **Large Construction Sites:**
  - Equal to or greater than 5 acres, or
  - Part of a common plan of development that will disturb equal to or greater than 5 acres
- **Small Construction Sites:**
  - More than 1 acre, but less than 5 acres, or
  - Part of a common plan of development that will disturb more than 1 acre but less than 5 acres
- **Construction Sites Less than 1 acre**

# Common Plan of Development (CPD)

- Construction activity completed in separate stages, separate phases, or in combination with other construction activities.
- It is identified by documentation that identifies the scope of the project.
- May include one operator or many operators.
- Total acreage being disturbed is used to determine if a common plan of development is needed.

# Not a Common Plan of Development if...

- Not interconnected to other development or sale

**OR**

- Discrete projects within a Common Plan of Development that are:
  - At least ¼ mile apart with no soil disturbance between project areas

**AND**

- Not connected by roads, pipelines, utilities, etc.

# No longer a Common Plan of Development When...

- Less than 1 acre to be developed
- Clear amount of time since activity stopped
- Final stabilization achieved



# Example

- A subdivision is being built. Builder 1 is grading 0.75 acres, Builder 2 is clearing 3 different acres, and Builder 3 is excavating another 1.5 acres.

The total area being disturbed is 5.25 acres, so each operator must follow the requirements associated with a large site disturbing 5 or more acres.

# Concrete Batch Plants

- CGP authorizes washout water from concrete trucks where structural controls prevent discharge to surface water and prevent groundwater contamination.
- CGP allows for temporary on-site concrete batch plants and includes specific sampling requirements. See the TPDES General Permit No. TXR150000 Part V, Section A.
- CGP does not authorize PROCESS WASTEWATER discharges. Wastewater discharges must be authorized under the general permit TXG110000.

# Application and Fees

# Application in STEERS

## State of Texas Environmental Electronic Reporting System

- Create an account online
- Submit and sign STEERS Participation Agreement
- Submit Notice of Intent (NOI), Notice of Change (NOC), and Notice of Termination (NOT)

# Application Fees and Waiver

- Submit application and fee online
  - \$225 application fee
  - Immediate permit coverage
  - No annual water quality fees
  - **STEERS Helpdesk**: 512-239-6925 or [steers@tceq.texas.gov](mailto:steers@tceq.texas.gov)
- If you qualify for the electronic reporting waiver, submit paper NOI
  - \$325 application fee
  - Submit 7 days prior to commencing construction to obtain provisional coverage

# Construction General Permits (CGP) Requirements



# CGP Requirements: Less Than 1 Acre

- Read the permit.
- Implement and maintain BMPs.
- SWP3, NOI, NOT, and fee not required.
- Notify MS4 operator, if applicable, and follow any local requirements.

***Poor management of unpermitted sites may result in a violation or citation***

# CGP Requirements: Small Site

- Read the permit.
- Prepare, implement, and update SWP3.
- Submit a paper copy of the Delegation of Signatories form, if applicable.
- Adhere to requirements of the permit.
- Post Small Construction Site Notice.
- Notify MS4 operator, if applicable, and follow any local requirements.

# CGP Requirements: Large Site

- Read the permit.
- Prepare, implement, and update SWP3.
- Submit NOI and fee in STEERS.
- Submit a paper copy of the Delegation of Signatories form in STEERS, if applicable.
- Adhere to requirements of permit.
- Post Large Construction Site Notice.
- Notify MS4 operator, if applicable, and follow any local requirements.
- Submit NOT in STEERS.

# Site Notice



## TCEQ Large Construction Site Notice

### Primary Operator

Large construction sites disturb more than five acres or are part of a larger common plan of development that disturbs more than five acres. Primary operators of large construction sites will fill out this notice. Primary operators will then post this notice at the construction site in a location where it is safely and readily available for viewing by the general public and local, state, and federal authorities. Additional information about the TCEQ Construction Stormwater General Permit may be found on TCEQ's webpage on [Assistance Tools for Construction Stormwater General Permits](#).

*Note: You must also develop a Stormwater Pollution Prevention Plan prior to the commencement of construction.*

**Site-Specific TPDES Authorization Number:** TXR15

**Primary Operator Name:** \_\_\_\_\_

**Contact Name and Phone Number:** \_\_\_\_\_

### **Project Description:**

Physical  
Location/Description \_\_\_\_\_

Estimated Start Date \_\_\_\_\_

Projected End Date or Date Disturbed Soils Will Be Stabilized \_\_\_\_\_

**Location of Stormwater Pollution Prevention Plan (SWP3):** \_\_\_\_\_



## TCEQ Small Construction Site Notice

Small construction sites disturb at least one but less than five acres or are part of a larger common plan of development or sale that disturbs between one and five acres. Operators of small construction sites will fill out this notice. Operators will then post this notice at the construction site in a location where it is safely and readily available for viewing by the general public and local, state, and federal authorities. Additional information about the TCEQ Construction Stormwater General Permit may be found on TCEQ's webpage on [Assistance Tools for Construction Stormwater General Permits](#).

*Note: You must also develop a Stormwater Pollution Prevention Plan prior to the commencement of construction.*

### **Operator**

**Name:** \_\_\_\_\_

**Contact Name and Phone Number:** \_\_\_\_\_

### **Project Description:**

Physical Location/Description \_\_\_\_\_

Estimated Start Date \_\_\_\_\_

Projected End Date or Date Disturbed Soils Will Be Stabilized \_\_\_\_\_

**Location of Stormwater Pollution Prevention Plan (SWP3):** \_\_\_\_\_

For Small Construction Activities Authorized Under Part II.E.2. (Obtaining Authorization to Discharge) the following certification must be completed:

I, \_\_\_\_\_ (Typed or Printed Name Person Completing This Certification) certify under penalty of law that I have read and understand the eligibility requirements for claiming an authorization under Part II.E.2. of TPDES General Permit TXR150000 and agree to comply with the terms of this permit. A stormwater pollution prevention plan has been developed and will be implemented prior to construction, according to permit requirements. A copy of this signed notice is supplied to the operator of the Municipal Separate Storm Sewer Systems (MS4) if discharges enter an MS4. I am aware there are significant penalties for providing false information or for conducting unauthorized discharges, including the possibility of fine and imprisonment for knowing violations.

Signature and Title \_\_\_\_\_ Date \_\_\_\_\_

Name of MS4 Operator notified: \_\_\_\_\_ and Date notified (per Part II.F.3.): \_\_\_\_\_

Date Site Notice Removed \_\_\_\_\_

TCEQ-20963 (12-19-2022)

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# **Stormwater Pollution Prevention Plan (SWP3) Requirements**

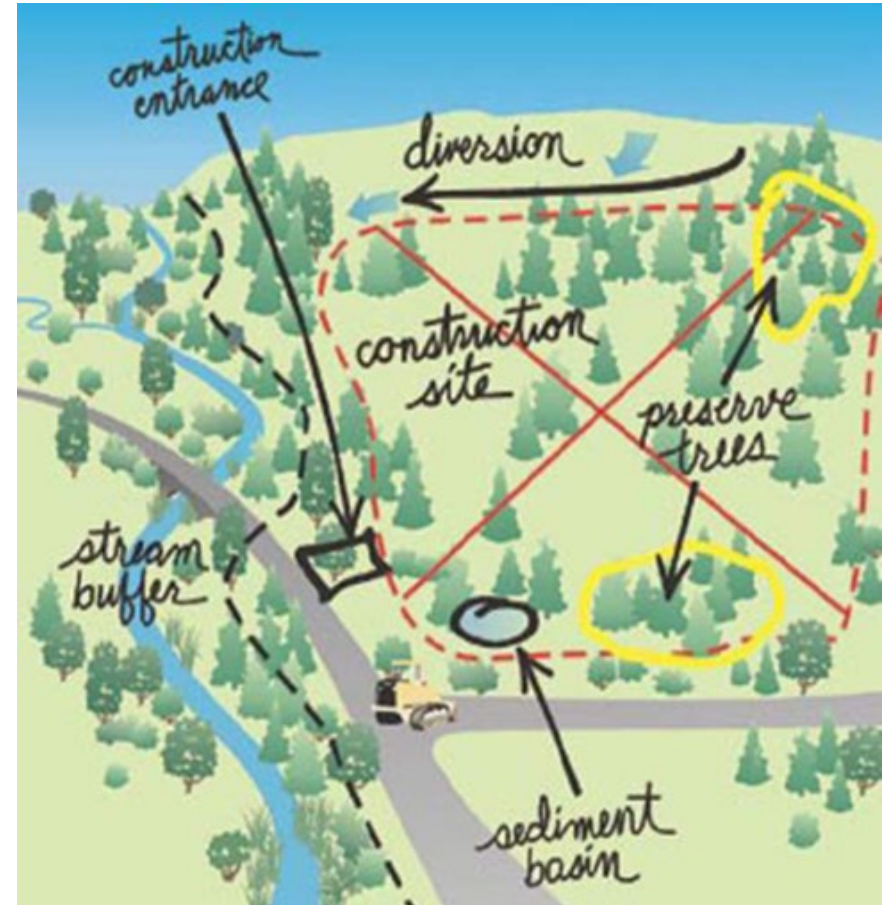
# Stormwater Pollution Prevention Plan (SWP3)

- A “living document” that requires updates.
- Includes a comprehensive site evaluation.
- Operators must log their inspection reports.
- Develop and implement SWP3 prior to;
  - Start of Construction
  - Submitting NOI and paying a fee (large construction site)
- It should be readily available if not maintained on-site.



# Details of a SWP3

- Describe site and schedule of activities.
- Identify Pollution Prevention Team (**qualified personnel**)
- Identify potential contaminants
- Describe BMPs and controls to manage runoff
- Record maintenance and operator inspections
- Site map



# Operator Inspections

Operators at all sites must:

- Inspect disturbed areas of soil
- Inspect material storage
- Inspect structural controls
- Record sediment and erosion controls
- Inspect vehicle entrances/exits
- Perform every 7 or 14 days **AND** within 24 hours of a ½ inch rainfall

**Keep copies of inspection reports with SWP3.**

# Inspection Report

- Summary of the scope of the inspection
- Name and qualification of the inspector
- Major observations
  - discharge of sediment or pollutants from the site
  - location of BMPs requiring maintenance
  - location of BMPs that failed
  - location where additional BMPs are needed

**Update SWP3 and modify BMPs as soon as possible  
or before the next rainfall event**

# Examples of Controls

# Examples of Controls



- Vegetative Buffer Strips
  - Swales
  - Rain Gardens
- Ponds
  - Retention
  - Detention
- Rock
  - Filter Berms
  - Check Dams
  - Tracking Pads
  - Silt Fences and Rock Berms



# Vegetated Buffers Strips



- Natural, existing, or established vegetation.
- Allows stormwater to permeate the soil and reduces erosion.
- Most effective on flood plains, near wetlands, along stream banks, and unstable slopes.



# Ponds



← Retention

- Allows sediment to settle
- Biological activity can remove nutrients
- More common for larger (>10 acres) development projects



← Detention

# Compost Filter Socks



- Mesh tube filled with composted material.
- Can be placed perpendicular to the direction of flow and/or along site perimeter.
- Helps control erosion and retain sediment.



# Check Dams



- Temporary structures to control erosion and sediment migration.
- Sediment trapping can occur by slowing down flow.
- Installed in a channel or other area where stormwater flow is concentrated.

# Tracking Pad



- Gravel or rock placed at construction entrance/exit.
- Minimizes sediment leaving site from vehicles.





# Silt Fences and Rock Berms



# Common Permit Violations

# Common Permit Violations – continued

Failure to:

- Obtain permit coverage
- Develop/implement and update SWP3
  - Include and update site map
  - Update pollution prevention team information
  - Inspect on-site controls
- Properly install and maintain BMPs
- Keep containers closed



# Common Permit Violations: Routine Inspections

- Inspections must occur at least once every 14 calendar days **and** within 24 hours of the end of a rain event of 0.5 inches or greater, or
- Inspections must occur at least once every 7 calendar days, regardless of whether there was a rain event since the previous inspection.

# Common Permit Violations: Operator Inspection Sheet

Today's Date	# Days Since Last Rain	Amount of Last Rain	Stabilized (Yes/No)	Stabilized with	Condition	Action Taken	Date/Initial
Apr 17, 2021		3.4 in	No	grading/silt fences	grading dirt washed alittle	silt fences installed	4.17.21 CF
May 1, 2021	14	0.85 in	Yes	All looks good	All looks good	none	5.1.21 CF
May 11, 2021	10	0.9 in	Yes	All looks good	All looks good	none	5.11.21 CF
May 12, 2021	1	1.9 in	No	grading/silt fences	grading dirt washed alittle		5.12.21 CF
May 13, 2021	1	2 in	Yes	All looks good	All looks good		5.13.21 CF
May 17, 2021	4	1.9 in	Yes	All looks good	All looks good		5.17.21 CF
May 18, 2021	1	3.5 in	No	SkidSteer working the Dirt	drainage area has erosion		5.18.21 CF
May 21, 2021	3	2.4 in	Yes	All looks good	All looks good		5.21.21 CF
May 24, 2021	3	0.7 in	Yes	All looks good	All looks good		5.24.21 CF
May 28, 2021	4	0.7 in	Yes	All looks good	All looks good		5.28.21 CF
Jun 6, 2021	9	0.5 in	Yes	All looks good	All looks good		6.6.21 CF
Jun 12, 2021	6	1.5 in	Yes	All looks good	All looks good		6.12.21 CF
Jun 30, 2021	18	1.6 in	No	SkidSteer working the Dirt	drainage area has erosion		6.30.21 CF
Jul 2, 2021	2	0.3 in	yes	All looks good	All looks good		7.2.21 CF
Jul 12, 2021	10	1.45 in	No	dozer working the dirt	drainage area has erosion		7.12.21 CF
Jul 15, 2021	3	0.3 in	yes	All looks good	All looks good		7.15.21 CF
Jul 20, 2021	5	4.9 in	yes	SkidSteer working the Dirt	installing more silt fences and erosion control		7.20.21 CF
Jul 30, 2021	10		yes	no change	no change		7.30.21 CF
Aug 5, 2021	6	1.4 in	yes	no change	no change		8.5.21 CF
Oct 8, 2021	64	1.2 in	yes	no change	no change		10.8.21 CF
Oct 28, 2021	20	0.5 in	yes	no change	no change	no change	10.28.21 CF
Nov 3, 2021	6	0.7 in	yes	no change	no change	no change	11.3.21 CF
Dec 3, 2021	30	1.9 in	yes	no change	no change	no change	12.3.21 CF
Dec 14, 2021	11	0.15 in	yes	no change	no change	no change	12.14.21 CF
Dec 18, 2021	4	2.2 in	No	Skidsteer grading/silt fences	grading dirt washed alittle	silt fences installed	12.18.21 CF

Aug 5, 2021

Oct 8, 2021

Oct 28, 2021

Nov 3, 2021

Dec 3, 2021

64 days  
20 days

30 days



# Common Permit Violations: Site Notices



Not posted

Improperly posted



Not maintained



# Compliant Site Notices



# Non-Compliant Best Management Practices (BMPs)



# Poor Waste/Debris Containment



## Good Housekeeping Practices

- Regular site sweeps to pick up litter
- Strategically placed dumpsters
- Store construction material inside trailers or buildings.

# Concrete Washout





# Unmaintained Controls



- Silt fences not maintained
- Rock berms not maintained





# Unmaintained Controls – cont.





# Ineffective Controls



# Terminating Permit Coverage

# Terminating Permit Coverage – cont.

Submit a Notice of Termination (NOT) when:

1. Construction activity has stopped, and final stabilization is achieved
  - All soil disturbing activities completed
  - Even distribution of perennial cover to a density of 70% of native background
  - Excludes areas that are:
    - paved
    - covered by permanent structures
    - covered with equivalent permanent stabilization measures
2. Operational control is transferred
3. Alternative authorization is obtained

# Stormwater Contacts

- **Stormwater Permitting Program (technical)**  
512-239-4671  
[swgp@tceq.texas.gov](mailto:swgp@tceq.texas.gov)
- **Stormwater Processing Center (admin forms)**  
512-239-3700  
[swpermit@tceq.texas.gov](mailto:swpermit@tceq.texas.gov)



# Getting Help



**Hotline** 1-800-447-2827  
Monday-Friday 8:00 am-5:00 pm

[TexasEnviroHelp@tceq.texas.gov](mailto:TexasEnviroHelp@tceq.texas.gov)

[www.TexasEnviroHelp.org](http://www.TexasEnviroHelp.org)

Contact Regional Office





# Questions?

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