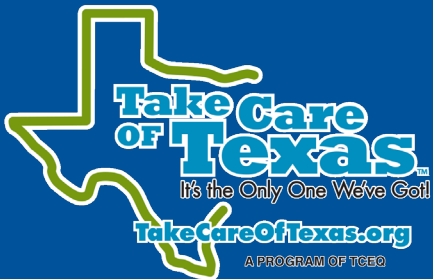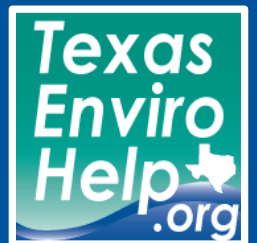# Stormwater Permitting – Multi-Sector General Permit (MSGP)

By: Mackenzie Maserang

Small Business & Local Government Assistance
1-800-447-2827   **www.TexasEnviroHelp.org**

Take Care of Texas
It's the Only One We've Got!
TakeCareOfTexas.org
A PROGRAM OF TCEQ

Texas Enviro Help.org

Agenda

- Small Business & Local Government Assistance (SBLGA) Overview

- Multi-Sector General Permit (MSGP)
  - Applicability
  - Authorization Types
  - Permit Requirements
  - How to Obtain Permit Coverage
  - Common Violations

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Compliance Assistance Programs

- TexasEnviroHelp.org

- SBLGA staff in every regional office

- Hotline **800-447-2827**

- EnviroMentor Assistance

- *The Advocate*

Basic Definitions

What is stormwater?

- Rainfall runoff

- Snowmelt runoff

- Surface runoff

- Drainage

What is discharge?

- The drainage, release, or disposal of stormwater associated with industrial activity & certain allowable non-stormwater sources

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Multi-Sector General Permit

(MSGP)

Industrial Stormwater

TXR050000

Expires 8/14/2026

Who Needs MSGP Coverage?

If a facility discharges stormwater associated with an industrial activity…

And the facility is one of the regulated industrial sectors…

Then authorization is required.

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Who Needs MSGP Coverage?

If a facility discharges stormwater associated with an industrial activity…

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Claiming No Discharge
Part II Section B.12 of MSGP

- Contain all stormwater within property boundaries even during extreme rain events

- Concerns with this route:

  - Burden of proof on operator

  - Potential fines if wrong

Who Needs MSGP Coverage?

If a facility discharges stormwater associated with an industrial activity…

And the facility is one of the regulated industrial sectors…

Then authorization is required.

Standard Industrial Classification (SIC) Code

- Possible to have more than one SIC code

- Primary SIC code is based on facility's industrial activity

  - What generates the most revenue?

  - What receives the most resources?

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Regulated Industrial Sectors
Part II Section A of MSGP

- Regulated industrial activities are grouped into 30 sectors based on SIC code.

- If a facility has two SIC codes that are regulated by MSGP, then the facility must comply with permit requirements for BOTH sectors.
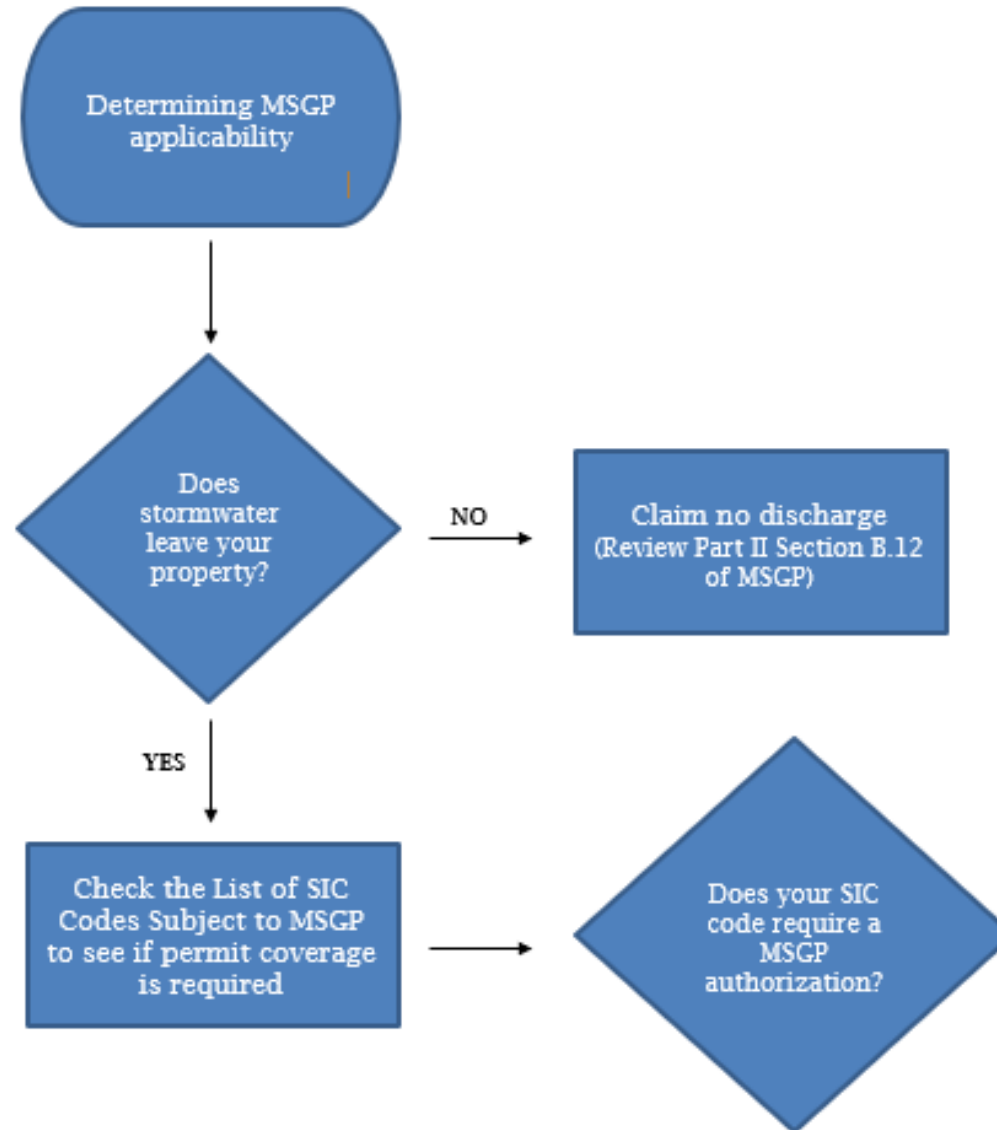
Who Needs MSGP Coverage?

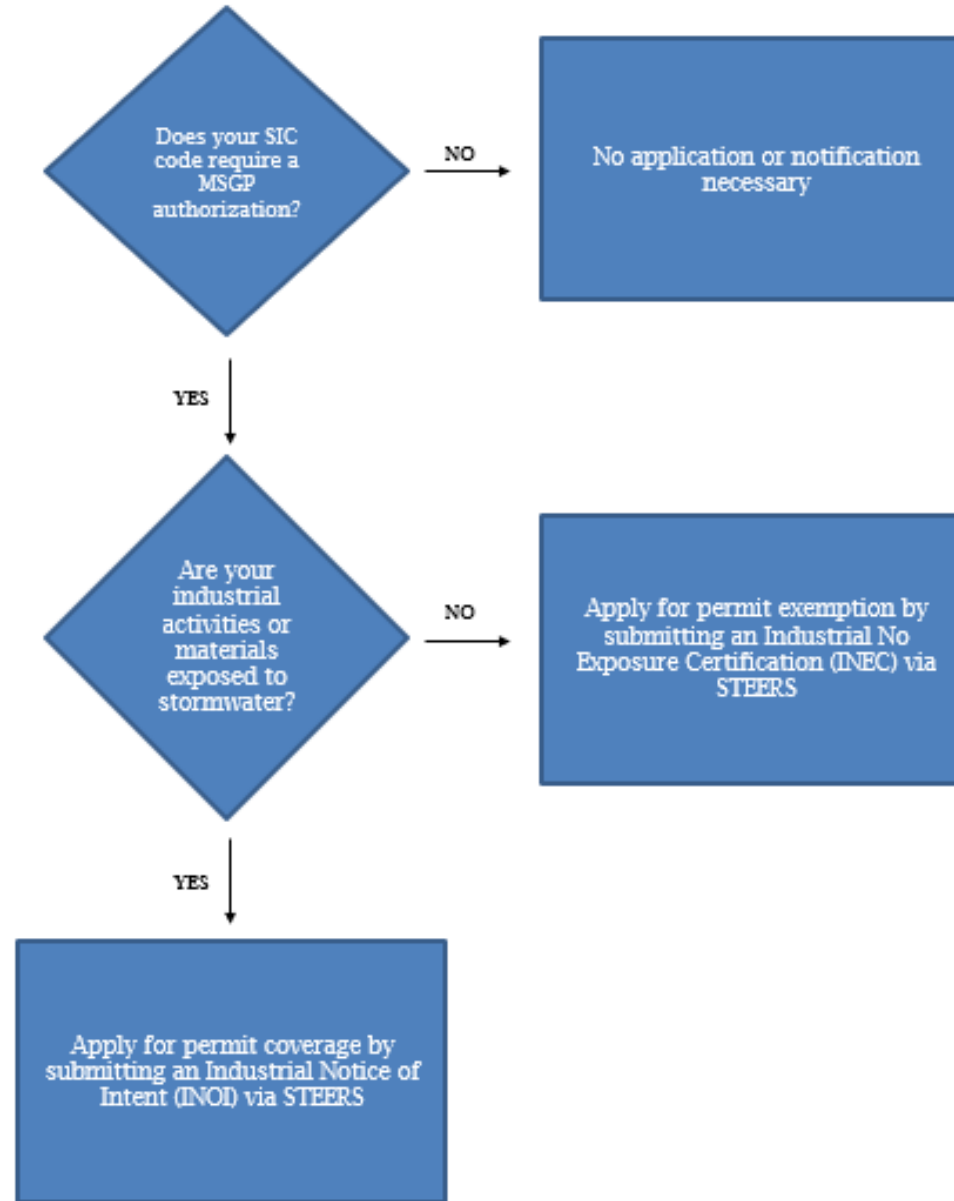*If* a facility discharges stormwater associated with an industrial activity…

And the facility is one of the regulated industrial sectors…

Then authorization is required.

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MSGP Applicability

MSGP Applicability

Conditional No Exposure Certification (NEC)

Exclusion from MSGP TXR050000 requirements

Requires Industrial NEC application

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No Exposure Certification
Part II Section C of MSGP

- Facilities may be excluded from some permit requirements *(SWP3, monitoring, etc.)* IF all industrial activities and materials are indoors and/or always protected from stormwater and runoff

- Must comply at all times 24/7

- Subject to investigation and enforcement action

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Multi-Sector General Permit

MSGP TXR050000

Requires Industrial Notice of Intent (INOI) application

Requirements for INOI Coverage

- Develop & implement Stormwater Pollution Prevention Plan (SWP3) prior to:
  - Starting regulated industrial activity
  - Applying for MSGP coverage

- Monitor stormwater discharges
  - Quarterly, Semi-annual, and/or Annual

- Inspect facility & stormwater controls

- Pay annual water quality fee

- Terminate coverage when appropriate

Stormwater Pollution Prevention Plan (SWP3)

- Comprehensive site evaluation

- Requires updates

- Stays onsite or can be made readily available

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SWP3 Contents
Part III Section A of MSGP

- Site drainage map & description

- Identify sources of pollution

- List & describe stormwater control measures

- Identify Stormwater Pollution Prevention Team & their responsibilities

- Monitoring & inspection procedures

- Monitoring & inspection reports

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Routine Facility Inspections
Part III Section B.2 of MSGP

- A member of the Stormwater Pollution Prevention (SWPP) team must inspect the facility at least once every three months.

- Inspections are to determine the effectives of the following:
  - Good housekeeping & erosion control measures
  - Spill prevention & response measures
  - Maintenance or repair of structural controls
  - Best Management Practices (BMPs)

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Facility Inspections Continued…
Part III Section B.2 of MSGP

- Inspections assess:

  - Weather conditions and stormwater discharges

  - Previously unidentified discharges of pollutants

  - Failed control measures

  - Incidents of noncompliance

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22

Facility Inspection Log
Part III Section B.2 of MSGP

- Record the following for each inspection:

    - Date & time of inspection

    - Weather conditions during the inspection

    - Names of any inspectors

- Update facility inspection log every three months and keep with SWP3

What Not to Do...

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Poor Housekeeping

Lack of Containment Controls

Monitoring Requirements

Type of Monitoring	Sampling Schedule	Permit Reference
Quarterly Visual	Every three months	Part III Section B.3
Benchmarks	Every six months	Part IV
Numeric Effluent Limits *(Haz. Metals & Federal)*	Annually unless waived	Part III Section C
Sector Specific Numeric Effluent Limits	Annually	Part V
Impaired Waters & Pollutants of Concern	Annually (if applicable)	Part II Section B.7

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Exceptions to Monitoring Requirements

1. Adverse Weather

2. Waiver

Exceptions to Monitoring Requirements

- Adverse weather where conditions are either dangerous to personnel or that prohibit access to a discharge
  - e.g., high wind, lightning, flooding, etc.

- Temporary suspension of monitoring requirements

- Document monitoring exception within SWP3

Waiver from Numeric Effluent Limits: Hazardous Metals
Part III Section C.1.c

- Must certify that raw materials, byproducts, and final products do not contain the specified metals of interest

- Certify that raw materials, byproducts, and final products are not exposed

- Analyze sample to demonstrate metal(s) are not present in detectable levels

- Waiver doesn't apply to metals listed in sector specific benchmarks

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General Sampling Requirements
Part III Section D of MSGP

- A qualifying storm event is a measurable rain event that causes a discharge from the permitted facility
  - Must be three days since the preceding storm event

- A representative sample must be collected within the first 30 minutes of discharge using a grab sample

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Sampling Plans & Procedures

- Document the schedule & procedures your facility uses in order to conduct required analytical monitoring

  - Visual monitoring

  - Benchmark monitoring

  - Hazardous metals

  - Federal effluent monitoring (if applicable)

  - Numeric effluent monitoring

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Sample Collection Requirements

Part III Section D.6 of MSGP

- Identify the following for each type of analytical sample collected:

  - A list of locations where samples are collected

  - Schedules for conducting monitoring activities

  - Procedures for gathering storm event data

  - Parameters that must be sampled

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Discharge Monitoring Reports (DMRs)
Part III Section E.6 of MSGP

- DMRs are to be submitted to TCEQ by March 31 of each year in the following cases:

    - Sampling results for effluent limits in accordance with Part V of the permit must be reported regardless if there was an exceedance or not
        - Including Federal requirements for Sectors A, C, D, E, J, and O

    - Any non-compliance with an effluent limit for any of the hazardous metals – Part III.C.1 of MSGP

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How to Apply for Multi-Sector General Permit

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Electronic Permitting Process
State of Texas Environmental Electronic Reporting System (STEERS)

1. Create a STEERS account online

2. Add 'Storm Water General Permits' Program

3. Submit STEERS Participation Agreement (SPA)

4. Submit INOI or INEC application and pay fees online

STEERS Help Desk 512-239-6925 or steers@tceq.texas.gov

STEERS Application Selection

Create → Fillout → Sign → Pay → Submit

Select One Application Type:

Construction General Permit

○ Create a Construction Notice of Intent application (CNOI)

○ Terminate an existing Construction authorization

○ Create a Construction Notice of Change application (NOC)

○ Create a Low Rainfall Erosivity Waiver application (C-LREW)

Multi Sector General Permit (Industrial)

○ Create an Industrial Notice of Intent application (INOI)

○ Terminate an existing INOI authorization

○ Renew an existing Industrial Notice of Intent application (INOI-R)

○ Create an Industrial INOI Notice of Change application (INOI-NOC)

Multi Sector General Permit (No Exposure)

○ Create an Industrial No Exposure Certification application (INEC)

○ Terminate an existing INEC authorization

○ Renew an existing Industrial No Exposure Certification application (INEC-R)

○ Create an Industrial NEC Notice of Change application (INEC-NOC)

[Activities] [Next]

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37

STEERS Application Selection

Create → Fillout → Sign → Pay → Submit →

Select One Application Type:

Construction General Permit
- ○ Create a Co[n]... N[oti]... [of Int]ent application (CNOI)
- ○ Terminate an exis[ting construc]tion authorization
- ○ Create a Co[nstruction N]o[tice of Cha]nge application (NOC)
- ○ Create a Low [Rai]nfall Erosivity Waiver application (C-LREW)

Multi Sector General Permit (Industrial)
- ○ Create an Industrial Notice of Intent application (INOI)
- ○ Terminate an existing INOI authorization
- ○ Renew an existing Industrial Notice of Intent application (INOI-R)
- ○ Create an Industrial INOI Notice of Change application (INOI-NOC)

Multi Sector General Permit (No Exposure)
- ○ Create an Industrial No Exposure Certification application (INEC)
- ○ Terminate an existing INEC authorization
- ○ Renew an existing Industrial No Exposure Certification application (INEC-R)
- ○ Create an Industrial NEC Notice of Change application (INEC-NOC)

Construction Only

[Activities] [Next]

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38

STEERS Application Selection

Create → Fillout → Sign → Pay → Submit

Select One Application Type:

Construction General Permit
- ○ Create a Construction Notice of Intent application (CNOI)
- ○ Terminate an existing Construction authorization
- ○ Create a Construction Notice of Change application (NOC)
- ○ Create a Low Rainfall Erosivity Waiver application (C-LREW)

Multi Sector General Permit (Industrial)
- ○ Create an Industrial Notice of Intent application (INOI)
- ○ Terminate an existing INOI authorization
- ○ Renew an existing Industrial Notice of Intent application (INOI-R)
- ○ Create an Industrial INOI Notice of Change application (INOI-NOC)

Multi Sector General Permit (No Exposure)
- ○ Create an Industrial No Exposure Certification application (INEC)
- ○ Terminate an existing INEC authorization
- ○ Renew an existing Industrial No Exposure Certification application (INEC-R)
- ○ Create an Industrial NEC Notice of Change application (INEC-NOC)

Activities   Next

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39

STEERS Application Selection

Create → Fillout → Sign → Pay → Submit →

Select One Application Type:

Construction General Permit

○ Create a Construction Notice of Intent application (CNOI)

○ Terminate an existing Construction authorization

○ Create a Construction Notice of Change application (NOC)

○ Create a Low Rainfall Erosivity Waiver application (C-LREW)

Multi Sector General Permit (Industrial)

○ Create an Industrial Notice of Intent application (INOI)   New NOI application

○ Terminate an existing INOI authorization

○ Renew an existing Industrial Notice of Intent application (INOI-R)

○ Create an Industrial INOI Notice of Change application (INOI-NOC)

Multi Sector General Permit (No Exposure)

○ Create an Industrial No Exposure Certification application (INEC)   New NEC application

○ Terminate an existing INEC authorization

○ Renew an existing Industrial No Exposure Certification application (INEC-R)

○ Create an Industrial NEC Notice of Change application (INEC-NOC)

Activities   Next

When to Submit a Notice of Change (NOC)
Part II Section C of MSGP

- Submit a NOC via STEERS when/if:

  - Relevant information provided on NOI/NEC has changed;

  - Applicant failed to submit relevant facts on NOI/NEC; or

  - Applicant submitted incorrect information on NOI/NEC

STEERS Application Selection

Create → Fillout → Sign → Pay → Submit →

Select One Application Type:

Construction General Permit
- ○ Create a Construction Notice of Intent application (CNOI)
- ○ Terminate an existing Construction authorization
- ○ Create a Construction Notice of Change application (NOC)
- ○ Create a Low Rainfall Erosivity Waiver application (C-LREW)

Multi Sector General Permit (Industrial)
- ○ Create an Industrial Notice of Intent application (INOI)
- ○ Terminate an existing INOI authorization
- ○ Renew an existing Industrial Notice of Intent application (INOI-R)
- ○ Create an Industrial INOI Notice of Change application (INOI-NOC)

Multi Sector General Permit (No Exposure)
- ○ Create an Industrial No Exposure Certification application (INEC)
- ○ Terminate an existing INEC authorization
- ○ Renew an existing Industrial No Exposure Certification application (INEC-R)
- ○ Create an Industrial NEC Notice of Change application (INEC-NOC)

Notice of Change (NOC)

Activities   Next

When to Terminate Permit Coverage
Part II Section C of MSGP

- Submit a Notice of Termination (NOT) via STEERS when/if:

  - Applicant accidentally applied for incorrect INOI/INEC

  - Facility is relocating or shutting down

  - Transfer of facility operational control

  - Alternative authorization is obtained

STEERS Application Selection

Create → Fillout → Sign → Pay → Submit →

Select One Application Type:

Construction General Permit

○ Create a Construction Notice of Intent application (CNOI)

○ Terminate an existing Construction authorization

○ Create a Construction Notice of Change application (NOC)

○ Create a Low Rainfall Erosivity Waiver application (C-LREW)

Multi Sector General Permit (Industrial)

○ Create an Industrial Notice of Intent application (INOI)

○ Terminate an existing INOI authorization

○ Renew an existing Industrial Notice of Intent application (INOI-R)

○ Create an Industrial INOI Notice of Change application (INOI-NOC)

Multi Sector General Permit (No Exposure)

○ Create an Industrial No Exposure Certification application (INEC)

○ Terminate an existing INEC authorization

○ Renew an existing Industrial No Exposure Certification application (INEC-R)

○ Create an Industrial NEC Notice of Change application (INEC-NOC)

Notice of Termination (NOT)

[Activities] [Next]

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How & When to Renew MSGP Authorization

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STEERS Application Selection

MSGP Fees
Part II Section C.10 of MSGP

- Industrial Notice of Intent (INOI) fee - $100

- Industrial No Exposure Certification (INEC) fee - $100

- Paper INOI or INEC fee - $200

- Annual Water Quality fee September 1st - $200
  - No annual fee for NEC

- No fees associated with terminating (NOT) or changing (NOC) permit coverage

Common MSGP Violations

- Failure to:
  - Obtain permit coverage
  - Prevent unauthorized discharge
  - Develop/Implement SWP3
  - Include & update site map
  - Update SWPP team information
  - Properly install & maintain BMPs
  - Inspect on-site controls
  - Keep containers exposed to stormwater closed

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Permit Violation: Lack of Containment & Controls

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How to Stay in Compliance

- **Read the permit**
- Know the applicable sections of the permit
- Implement & maintain appropriate stormwater controls
- Conduct routine monitoring
- Modify SWP3 when changes are needed
- Use available resources
- Contact TCEQ for guidance

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Permits are necessary

Summary

1. Determine if your facility discharges stormwater
2. Determine your facility SIC code
3. Determine if your SIC code requires MSGP coverage
   a) If so, what sector of the permit does your SIC fall under?
   b) **Read the permit**
4. Create & implement a SWP3
5. Create a STEERS account
6. Submit appropriate MSGP application via STEERS (INOI vs. INEC)
7. Comply with general and sector specific permit requirements
8. Terminate or renew permit coverage when necessary

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MSGP Compliance Assistance Resources

- TCEQ's Small Business & Local Government Assistance (SBLGA) Section
    - EnviroMentor Program
- SWP3 Templates (coming soon)
- 2021-2026 MSGP Sampling Guide (coming soon)
- Surface Water Quality Segments Viewer
- RG-403 Quarterly Visual Monitoring

TCEQ Stormwater Program Contact Information

- **Stormwater Permitting Program** (technical assistance)
  - 512-239-4671
  - swgp@tceq.texas.gov

- **Stormwater Processing Center** (admin forms)
  - 512-239-3700
  - swpermit@tceq.texas.gov

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QUESTIONS?

Mackenzie Maserang

Region 5 SBLGA – Tyler, Texas

903-535-5158

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