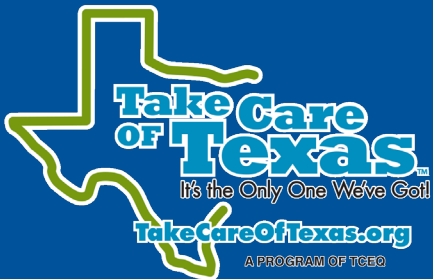




Basic Overview: Stormwater Multi-Sector General Permit (MSGP)

Veronica Medrano & Vanessa Dueñas
Compliance Assistance Specialists, SBLGA



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



Agenda

Introduction to Multi-Sector General Permit (MSGP)

Applicability & Authorization Options

Notice of Intent (NOI) Permittee Requirements

Permit Fees

Conclusion

Introduction to MSGP


What is the Multi-Sector General Permit TXR050000?

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

Current MSGP

- Effective August 14, 2021
- Expires August 14, 2026

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. TXR050000, issued August 14, 2016.

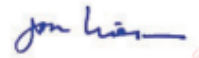
Facilities that discharge stormwater associated with industrial activity
located in the state of Texas
may discharge to surface water in the state

only according to effluent limitations, monitoring requirements and other conditions set forth in this general permit, as well as the rules of the Texas Commission on Environmental Quality (TCEQ), the laws of the State of Texas, and other orders of the Commission of the TCEQ (Commission). The issuance of this general permit does not grant to the permittee(s) the right to use private or public property for conveyance of wastewater 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(s) to acquire property rights as may be necessary to use the discharge route.

This permit and the authorization contained herein shall expire at midnight, five years from the permit effective date.

EFFECTIVE DATE: August 14, 2021

ISSUED DATE: July 16, 2021



Digitally signed by Jon Niemann
Date: 2021.07.16 10:00:54 -0500

For the Commission

Stormwater Runoff and Discharge

Runoff from rainfall, snowmelt, surface and drainage



The drainage, release, or disposal of stormwater associated with industrial activity and certain allowable non-stormwater sources listed in this general permit to surface water in the state



MSGP Applicability

If a facility is associated with industrial activity in one of the regulated sectors...

And stormwater discharges from property boundaries...

Then an authorization is required.

Industrial Activities

Standard Industrial Classification (SIC) Codes

- Refer to [OSHA's SIC Manual](#) to find the best fit for your facility
- Based on revenue produced by the regulated activity
- If a facility has two SIC codes that are regulated by MSGP, then the facility must comply with permit requirements for BOTH sectors.

SIC 2082



Regulated Industrial Sectors

Regulated industrial activities are divided into 30 sectors based on SIC code found in Part II, Section A of permit.

Activity Code	Description	Sector
HZ	Hazardous waste treatment, storage, and disposal	K
LF	Landfill	L
SE	Steam electric power plants	O
TW	Treatment Works	T



Activity
Code TW

What if my industrial facility does not discharge stormwater?

Part II, Section B.12. of the MSGP states:

A facility that does not discharge stormwater to an MS4 nor to surface water in the state may not be required to obtain coverage under this general permit if the operator demonstrates that no discharges have occurred nor will occur in the future.

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



TCEQ REGULATORY GUIDANCE

Environmental Assistance Division

RG-538 • May 2018

Claiming No Discharge from Stormwater Permit Requirements

This document is for owners and operators of industrial facilities that are subject to the Texas Pollutant Discharge Elimination System (TPDES) Multi-Sector General Permit (MSGP) TXR0500000. This guidance will help you understand what a “No Discharge” claim is, and what types of documentation you can use to demonstrate a claim. The information in this guide does not replace any stormwater laws and regulations, which take precedence over the information in this publication.

The MSGP is one of the mechanisms that authorizes industrial facilities, subject to stormwater permitting requirements. Facilities that do not discharge stormwater, either through natural conditions or due to physical changes at the facility, may not need to obtain stormwater permit coverage. The MSGP includes provisions for these types of facilities.

Back to Applicability

If a facility is associated with industrial activity in one of the regulated sectors...

And stormwater discharges from property boundaries...

Then an authorization is required.

Authorization Options

**No Exposure
Certification
(NEC)**

**Notice of Intent
(NOI)**

Conditional No Exposure Exclusion

Part II Section C of MSGP

- Industrial activities and materials are indoors or protected by storm-resistant shelters.
- Excluded from permit requirements
- See Regulatory Guide [RG-467](#)
- Must submit a **No Exposure Certification (NEC)** application
- Subject to investigation and enforcement action



TCEQ REGULATORY GUIDANCE

Program Support and Environmental Assistance Division
RG-467 • Revised November 2022

Conditional No Exposure Exclusion from Multi-Sector General Permit Requirements

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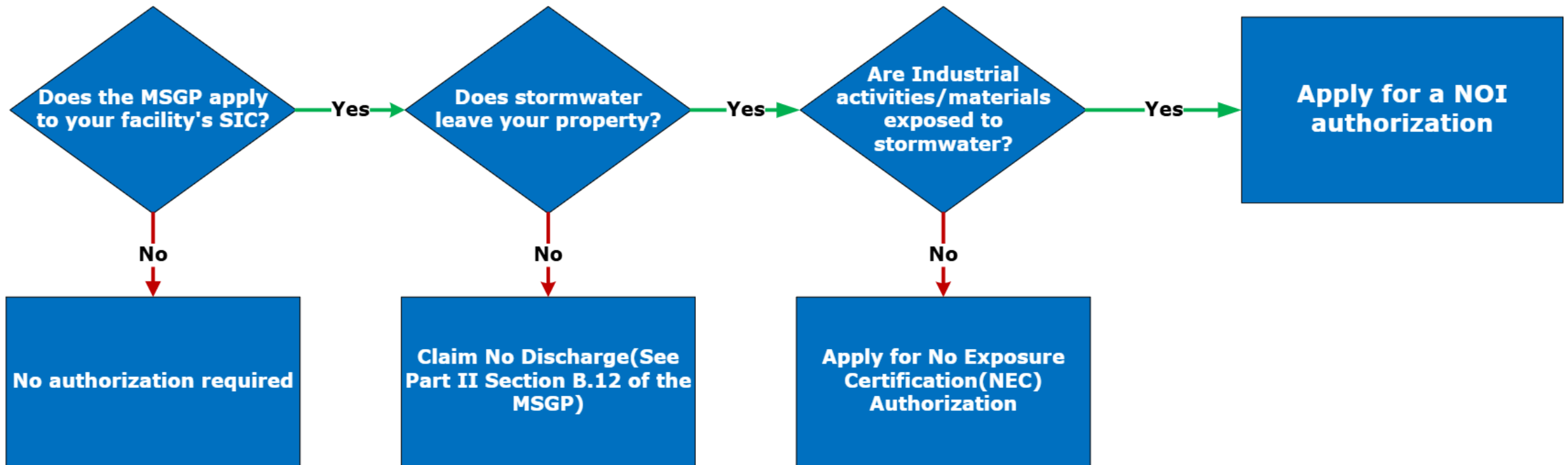
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Notice of Intent (NOI) Authorization

Requires:

- Industrial Notice of Intent (INOI) application
- Permit compliance with:
 - General requirements(Part III of the MSGP)
 - Sector specific requirements(Part V of the MSGP)

MSGP Applicability Snapshot



NOI Permittee Requirements

**Develop &
implement
Stormwater
Pollution Prevention
Plan (SWP3)**

**Applying for MSGP
coverage**

**Inspect facility &
stormwater controls**

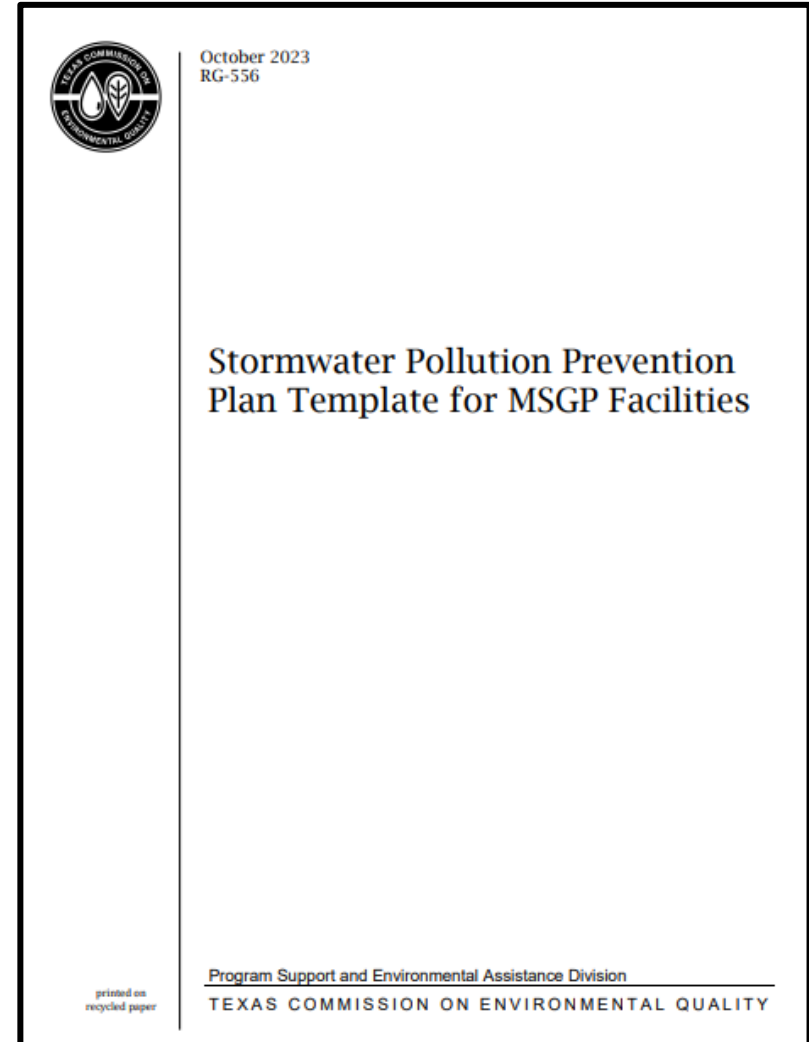
**Monitor and report
stormwater
discharges**

**Pay annual water
quality fee- Permit
Fees**

**Terminate coverage
when appropriate**

Stormwater Pollution Prevention Plan (SWP3)

- Outlines your plans, or best management practices, to control contaminants that may be discharged in stormwater runoff.
- Requires updates
- Stays onsite or can be made readily available
- **Template SWP3** ([RG-556](#)) available online



SWP3 Contents

Part III Section A of MSGP



Location and drainage map



Identifies

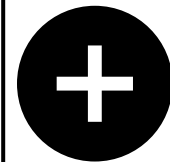
- Sources of pollution
- Stormwater Pollution Prevention Team



List & describes stormwater control measures



Documents Permit Compliance: including inspections and monitoring



Note: Additional SWP3 Requirements **Specific to your Sector**

E-Permitting System



All stormwater applications must be submitted online via State of Texas Environmental Electronic Reporting System (STEERS)

1. Need a STEERS account
2. Add 'Storm Water General Permits' Program to account
3. E-sign Participation Agreement (SPA)
4. STEERS Help Desk 512-239-6925 or steers@tceq.texas.gov

E-Permitting Process



Application Selection

New NOI

New NEC

Delegation of Signatories

- ☐ Delegation of Signatories to Report - MSGP Only
- ☐ Delegation of Signatories to Report - CGP Only

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

Multi Sector General Permit (No Exposure)

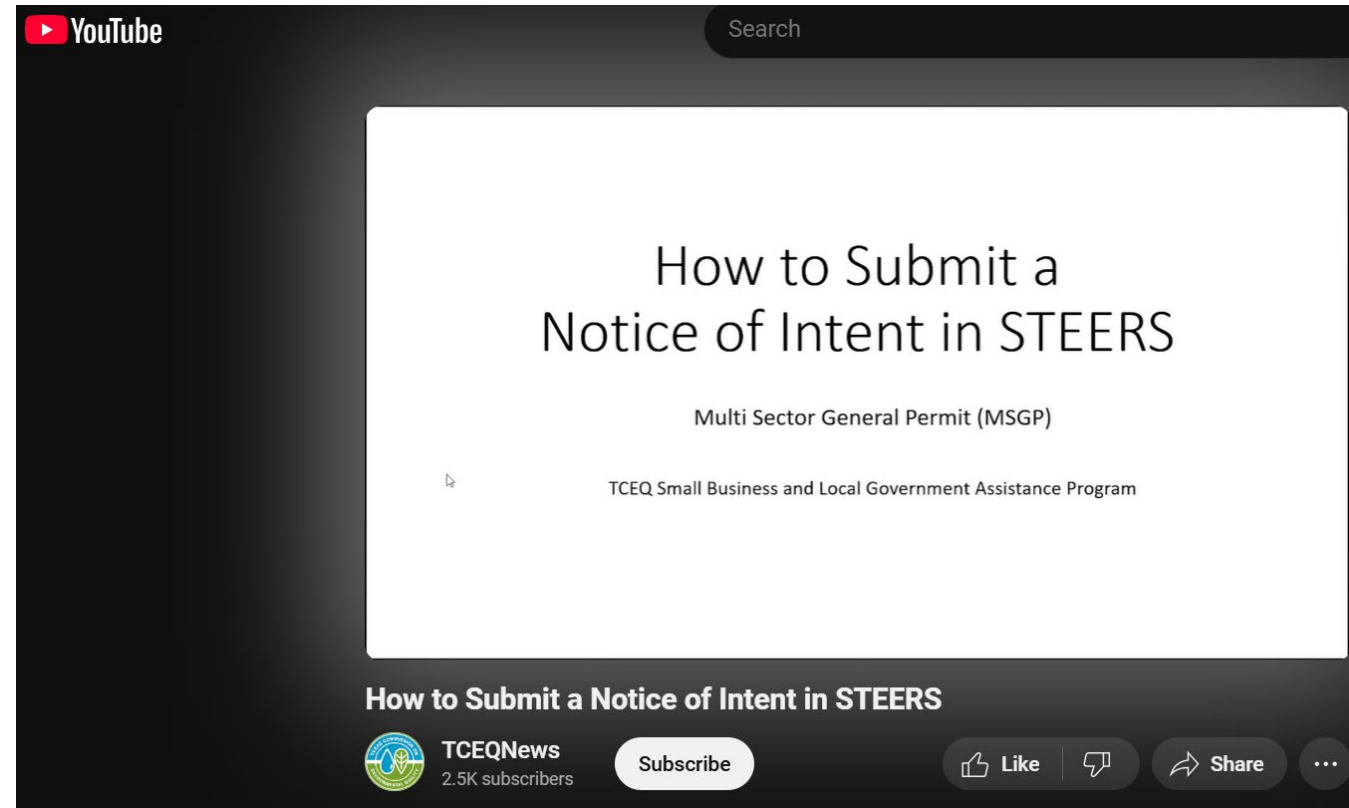
- ☐ Create an Industrial No Exposure Certification application (INEC)
- ☐ Terminate an existing INEC authorization
- ☐ Create an Industrial NEC Notice of Change application (INEC-NOC)

Activities

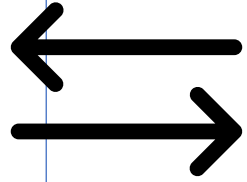
Next

E-permitting help

- Publication RG-531a: [A Guide to Creating an Account in STEERS E-Permitting](#)
- YouTube Assistance Videos:
 - [How to Submit a Notice of Intent in STEERS](#)
 - [How to Setup an Account in Steers](#)



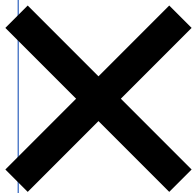
Other MSGP Applications



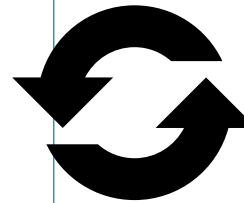
Notice of Change- Update Information



Delegation of signatories- Appoint authorized representative as signatories for documents required by the MSGP



Notice of Termination- Cancel permit coverage



Renewals of Existing NOI or NEC. TCEQ renews MSGP permit every 5 Years(Permit Term) **Coming soon!**

Inspections

- A member of the SWP3 team must inspect the facility
- Types of inspections include:
 - Routine Facility Inspection
 - Annual Comprehensive Site Compliance Inspection
 - Quarterly visual assessment of stormwater discharges

Routine Facility Inspections

Part III Section B.2 of MSGP

Frequency: Quarterly

Determines effectiveness of:

- Good housekeeping
- Erosion control
- Spill prevention
- Structural controls maintenance and repairs
- Best Management Practices (BMPs)

Checks:

- Discharges at time of inspection
- Unidentified discharges of pollutants
- Failed controls or needed control measures
- Noncompliance with SWP3 or permit.

Examples of Poor Housekeeping



Examples Continued



Inspection Log Requirements

Routine Facility Inspection: Worksheets	
Date and Time:	Quarter: <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4
Weather Conditions:	
Name(s) of Inspector(s)	
Facility Inspection Checklist	
General SWP3 Requirements	Evaluated?
Good house-keeping measures	<input type="checkbox"/> Yes <input type="checkbox"/> No
Best management practices (BMPs)	<input type="checkbox"/> Yes <input type="checkbox"/> No
Spill prevention and response measures	<input type="checkbox"/> Yes <input type="checkbox"/> No
Erosion, sedimentation, and structural control measures	<input type="checkbox"/> Yes <input type="checkbox"/> No
Employee training and education program	<input type="checkbox"/> Yes <input type="checkbox"/> No
Facility Inspection Questions	
Did you observe any active discharges during your inspection? <input type="checkbox"/> Yes (describe below) <input type="checkbox"/> No <hr/> <hr/> <hr/> <hr/>	
Are there any new pollutant discharges from your site? <input type="checkbox"/> Yes (describe below) <input type="checkbox"/> No <hr/> <hr/> <hr/> <hr/>	
Do any control measures need maintenance, repair, or replacement? <input type="checkbox"/> Yes (describe below) <input type="checkbox"/> No <hr/> <hr/> <hr/> <hr/>	

RG-556 ■ Industrial Stormwater MSGP SWP3 Worksheets
Did you observe any instances of non-compliance? <input type="checkbox"/> Yes (describe below) <input type="checkbox"/> No <hr/> <hr/> <hr/> <hr/>
Are additional control measures needed? <input type="checkbox"/> Yes (describe below) <input type="checkbox"/> No <hr/> <hr/> <hr/> <hr/>
Are existing BMPs properly and completely implemented? <input type="checkbox"/> Yes <input type="checkbox"/> No (describe below) <hr/> <hr/> <hr/> <hr/>
Do you recommend any corrective actions? <input type="checkbox"/> Yes (describe below) <input type="checkbox"/> No <hr/> <hr/> <hr/> <hr/>

Annual Comprehensive Site Compliance Inspection

Part III Section B.5.a and b

- Site evaluation and an overall assessment of the effectiveness of the current SWP3
- Prepare report within 30 days. (Pages 110-113 in template)
- Correct noncompliance within 12 weeks after the report completion date
- Update the SWP3 as needed

Comprehensive Compliance Inspection: Worksheet

Name and Title of Inspector:	
Date of Inspection:	
Is this a Quarterly Inspection?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Describe your inspection results about the facility areas. In your description, name the area of the facility you are describing.

Facility Area:

Document any incidents of non-compliance.

Describe your observations of your facility's control measure implementation.

Describe additional control measures needed to address any issues observed on-site.

Describe any previously unidentified discharges from the site.

Describe any unidentified pollutants from existing discharges.

Describe of any evidence of or potential for pollutants to enter the drainage system.

Monitoring and Reporting Stormwater Discharges

Monitoring Type	Permit Citation	Monitoring Frequency	Report
Hazardous Metals	Part III, Section C.1	Annually	Only if exceedance
Benchmark	Part IV and Part V	Semi-annually (Jan-June and July-Dec)	Always, however waiver option available for Year 3 and 4 of MSGP cycle
Sector Specific Numeric Effluent Limits	Part III.C.2 Table 3	Annually	Always
Impaired Waterbody & Pollutants of Concern	Part III, Section B.4	Annually	Always
Quarterly Visual	Part III, Section B.3	Quarterly (every three months)	Include in SWP3

Hazardous Metals Monitoring

Part III, Section C.1

- Required by All permittees regardless of Sector/SIC code as stated in 30 TAC, Chapter 319
- One sample collected and analyzed annually by December 31st of each year
- Appear in NetDMR as *Unscheduled* and are reported by March 31st of each year only when exceedance occurs
- If you implement a waiver, this must be indicated on the INOI/NOC via STEERS

Parameter (Total)	Discharges to Inland Waters (mg/L)	Discharges to Tidal Waters (mg/L)	Monitoring Frequency
Arsenic	0.3	0.3	1/ Year
Barium	4.0	4.0	1/ Year
Cadmium	0.2	0.3	1/ Year
Chromium	5.0	5.0	1/ Year
Copper	2.0	2.0	1/ Year
Lead	1.5	1.5	1/ Year
Manganese	3.0	3.0	1/ Year
Mercury	0.01	0.01	1/ Year
Nickel	3.0	3.0	1/ Year
Selenium	0.2	0.3	1/ Year
Silver	0.2	0.2	1/ Year
Zinc	6.0	6.0	1/ Year

Benchmark Monitoring

Part IV, Section A

Two samples collected and analyzed semi-annually

January – June
& July – December

Collect samples from outfalls where BMPs are installed

Sampling not required for Year 5 of the MSGP

January through August 2026



Additional Sampling for Certain Facilities

Sector Specific Numeric Effluent Limits(Part III, Section C.2)

- Applies to certain discharges in Sectors A, C, D, E, J, O, and S
- Sampling and reporting listed in Table 3 of the permit
- See **Part V** for sector specific limits
- Monitor annually

Impaired Waterbody & Pollutants of Concern(Part III, Section B.4)

- Applies to certain facilities discharging directly to an impaired waterbody
- Example, Bacteria: E.coli (for discharge to fresh water)
- Must indicate on NOI
- Monitor annually

Quarterly Visual Monitoring

Part III, Section B.3.

Stormwater discharges from each outfall authorized by this general permit must be visually examined on a quarterly basis.



Color	Does the water appear to be colored? Yes No	Describe:
Clarity	Is the water clear or transparent, meaning can you see through it? Yes No	Which of the following best describes the clarity of the water? Clear Milky Opaque Other (describe) _____
Oil sheen	Can you see a rainbow effect or sheen on the water surface? Yes No	Which of the following best describes the water sheen? Oily Silver Iridescent
Odor	Does the sample have an odor? Yes No	Describe:
Floating solids	Is there something floating on the surface of the sample? Yes No	Describe:
Suspended solids	Is there something suspended in the water column or sample? Yes No	Describe:
Settled solids	Is there something settled at the bottom of the sample? Yes No	Describe:
Foam	Is there foam or material forming on top of the water? Yes No	Describe:

When to Sample

Part III, Section D

Qualifying Storm event:

- Measurable rain event that causes a discharge
- Occurs at least 72 hours after the previous storm event

Representative Sample:

- Collected within the first 30 minutes of discharge using grab sample



Exception/Waivers to Monitoring Requirements

Scenarios/Examples	Permit Reference	Explanation
Adverse Conditions	Part III, Section D.4.(a)	High wind, flooding, drought, lightning storms, or freeze events
Inactive Facilities	Part III, Section D.4.(b)	Permit requirements to sample, inspect, examine, or monitor stormwater discharges are waived during the period that a facility maintains inactive status,
Lack of Qualifying Storm Event	Part III, Section D.4.(c)	Monitoring was not possible due to a lack of a qualifying storm event as documented in the rain gauge recording or representative weather station
Hazardous Metals Waiver	Part III, Section C.1.(c)	Certify that raw materials, byproducts, and final products do not contain hazardous metals OR they are not exposed to stormwater runoff

Report Sample Results in NetDMR

Part III Section E.6

- **DMRs are to be submitted to TCEQ by March 31 of each year**
- **You must collect and submit sampling data results if any of the following applies to your facility:**
 - Subject to federal effluent limitations guidelines.
 - Must report numeric effluent limits for an exceedance of hazardous metals.
 - Subject to benchmark monitoring requirements.
 - Discharges a pollutant of concern at a level of concern directly into an impaired water body.

NetDMR Assistance Resources

- [Multi-sector general permit: Online reporting for discharge monitoring](#)

YouTube

Search

Q

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**Stormwater Multi-Sector General Permit
(MSGP) Monitoring and Reporting in NetDMR**

- Contact our NetDMR Help Desk at NetDMR@tceq.texas.gov or 512-239-3367
- [NetDMR: Submit Your DMRs Online](#)
- [NetDMR: Training and Resources](#)



TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

Basic Overview: Stormwater Multi-Sector General Permit
(MSGP)

Terminating MSGP

Part II Section C.7. of MSGP

Submit a Notice of Termination (NOT) in STEERS:

- Facility has shut down
- NOI vs NEC
- Relocation of facility
- Alternative authorization obtained
- Transfer of facility operational control

Terminate NOI

Terminate NEC

Delegation of Signatories

- ☐ Delegation of Signatories to Report - MSGP Only
- ☐ Delegation of Signatories to Report - CGP Only

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

Activities

Next

Signatory Requirements

Part II Section C.8. of MSGP

- All applications must be signed according to 30 TAC §305.44
- All reports and certifications must be signed according to 30 TAC §305.128



TCEQ REGULATORY GUIDANCE

Program Support and Environmental Assistance Division
RG-557 • August 2021

Delegation of Signatories for the Multi-Sector General Permit

If you have an industrial facility subject to stormwater requirements in the Multi-Sector General Permit (MSGP),¹ use this guide to help you decide who can sign documents for it. For more help, call our Small Business and Local Government Assistance hotline at 800-447-2827 or email us at TexasEnviroHelp@tceq.texas.gov.

Signatory Authority

Certain individuals are authorized to sign TCEQ applications under [Title 30, Texas Administrative Code \(30 TAC\), Section 305.44](#).² They have "signatory authority" to sign applications such as Notices of Intent, No Exposure Certifications, Notices of Change, and Notices of Termination. If you are authorized by this rule, you do not need to apply for a delegation of signatories.

Fees

Part II Section C.10. of MSGP

STEERs application (NOI and NEC)	\$100
Paper application (NOI and NEC) [Must have electronic reporting waiver]	\$200
Annual Water Quality fee (active NOI permittees)	\$200
Notice of Change (NOC) / Notice of Termination (NOT)	No Fees

Paid annually

How to Stay in Compliance

- **Read the permit**
- Know the applicable sections of the permit
- Implement & maintain appropriate stormwater controls
- Conduct routine inspections and monitoring
- Modify SWP3 when changes are needed
- Use available resources
- Contact [TCEQ](https://www.tceq.texas.gov/) for guidance



Small Business and Local Government Assistance

We can help

TCEQ has 16 Regional Offices with SBLGA staff to provide technical assistance

- **One-on-one assistance**-Onsite, in the office or on the phone
- **Compliance Assistance Hotline**
 - 800-447-2827
 - M-F 8:00am-5:00pm
 - Email: TexasEnviroHelp@tceq.texas.gov
- www.TexasEnviroHelp.org

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





Questions?

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