A Look at the Small (Phase II) Municipal Separate Storm Sewer General Permit - TXR040000

TCEQ Environmental Trade Fair– July 4, 2025

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Phase II MS4 General Permit

TXR040000, also known as the *Small* MS4 General Permit

- Effective on August 15, 2024

- Expires on August 15, 2029

- Authorizes stormwater and certain non-stormwater discharges from small MS4s to surface water in the state.

- All authorizations approved under the 2019 – 2024 general permit term received administrative continuance until the issuance of the 2024 general permit.

- 180-day renewal period ended on February 11, 2025.

Texas Commission on Environmental Quality

GENERAL PERMIT TO DISCHARGE UNDER THE

TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM

under provisions of
402 of the Clean Water Act
and Chapter 26 of the Texas Water Code

This permit supersedes and replaces
TPDES General Permit No. TXR040000, issued January 24, 2019

Small (Phase II) Municipal Separate Storm-Sewer Systems located in the State of Texas may discharge directly to surface water in the state only according to requirements and conditions set forth in this Comprehensive 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 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, five years after the permit effective date.

EFFECTIVE DATE: August 15, 2024

ISSUED DATE: August 15 2024

For the Commission

The U.S. Census Bureau and Phase II Stormwater Regulations

- To be a regulated MS4 under TCEQ's **2024 Phase II MS4 General Permit** (TXR040000) you must:

  1. **Operate an MS4** which is:
  - Publicly Owned or Operated
  - Designed or used for collecting or conveying stormwater
  - <u>Not</u> a combined sewer
  - <u>Not</u> part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR §122.2

  2. Be *fully* or *partially* located within an **Urban Area with a population of at least 50,000**, as determined in the 2000, 2010, or 2020 Decennial Censuses by the U.S. Census Bureau.

The U.S. Census Bureau and Phase II Stormwater Regulations

Only the portion of the MS4 that falls within the boundaries of an *urban area with at least 50,000 people* is required to obtain coverage under the Phase II MS4 General Permit

In special cases, MS4 operators located outside of an *urban area with at least 50,000 people* may be *designated* by the TCEQ to obtain coverage

Terminology Changes in the 2020 Decennial Census

As of March 24, 2022, the Census Bureau stopped distinguishing *urbanized areas* and *urban clusters* and only identifies **urban areas**.

In response, EPA published a final rule on June 12, 2023, which replaced the term "urbanized area" in federal Phase II MS4 regulations with "**urban areas with a population of at least 50,000**"

The Census Bureau will no longer publish PDF maps of each area. Instead, they have published resources.

- **Shapefiles of the urban areas** across the nation for mapping purposes

- **Interactive web map with the 2020 urban areas** - TIGERweb

Urban Areas in Texas

Table 1: 2020 Urban Areas in Texas with a Population of 50,000 or More People

URBAN AREA NAME	POPULATION
Abilene, TX	118,138
Amarillo, TX	205,860
Austin, TX	1,809,888
Beaumont, TX	146,649
Brownsville, TX	216,444
College Station-Bryan, TX	206,137
Corpus Christi, TX	339,066
Dallas-Fort Worth-Arlington, TX	5,732,354
Denton-Lewisville, TX	429,461
Eagle Pass, TX	54,083
El Paso, TX-NM	823,732
Galveston-Texas City, TX	191,863
Harlingen, TX	118,838

Urban Areas in Texas

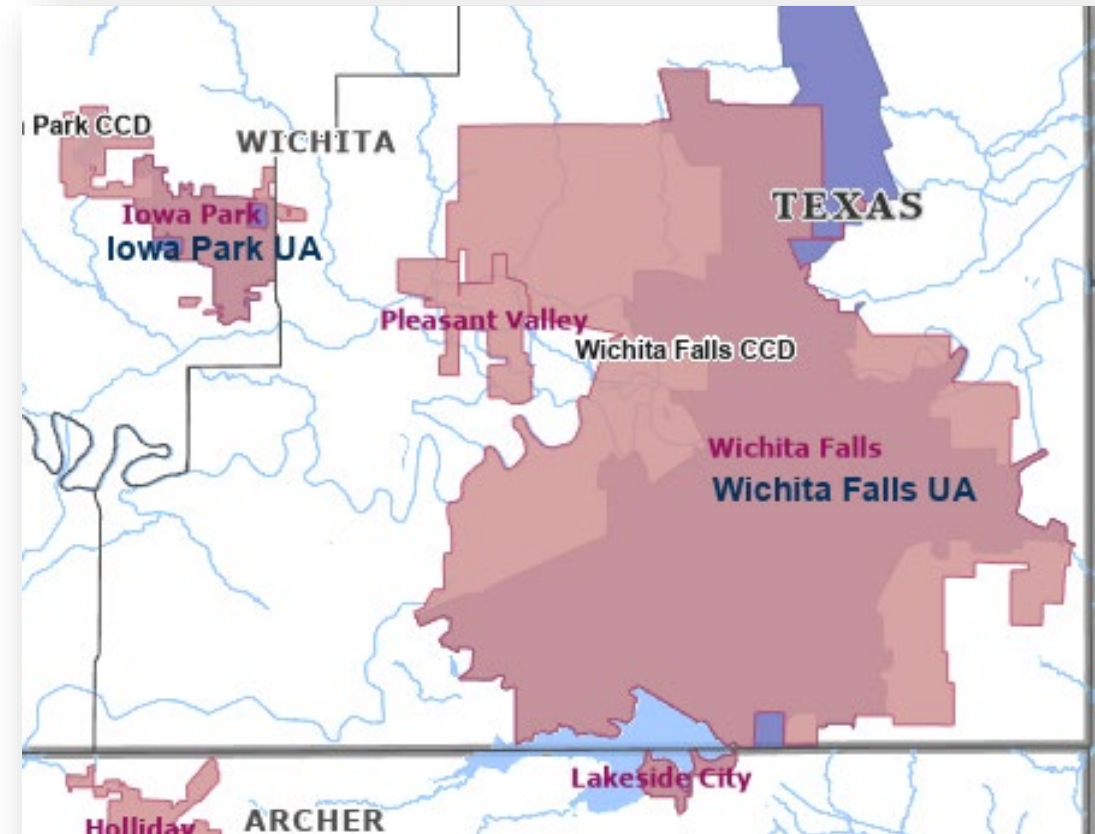Shapefiles of the urban areas across the nation for mapping purposes

- https://www.census.gov/programs-surveys/geography/guidance/geo-areas/urban-rural.html

Interactive web map with the 2020 urban areas - TIGERweb

- https://tigerweb.geo.census.gov/tigerweb/

Houston, TX	5,853,575
Killeen, TX	257,222
Lake Jackson, TX	56,054
Laredo, TX	251,462
Longview, TX	107,099
Lubbock, TX	272,280
McAllen, TX	779,553
McKinney-Frisco, TX	504,803
Midland, TX	141,997
New Braunfels, TX	100,736
Odessa, TX	154,818
Port Arthur, TX	116,819
San Angelo, TX	99,982
San Antonio, TX	1,992,689
San Marcos, TX	70,801
Sherman-Denison, TX	66,691
Temple, TX	114,632
Texarkana, TX-AR	53,144
The Woodlands-Conroe, TX	402,454
Tyler, TX	131,028
Victoria, TX	65,986
Waco, TX	192,844
Wichita Falls, TX	97,039

Urban Area Example

Types of Phase II MS4s

- **Traditional Phase II MS4s**
  - City or town

- **Non-traditional Phase II MS4s**
  - Municipal utility districts, flood control districts, or other special districts
  - Counties
  - Prisons
  - Military bases
  - Public universities
  - State or federal agencies

Photo Provided by EPA (https://www.epa.gov/research-grants/presentation-epas-stormwater-program-and-improving-resiliency-green-infrastructure)
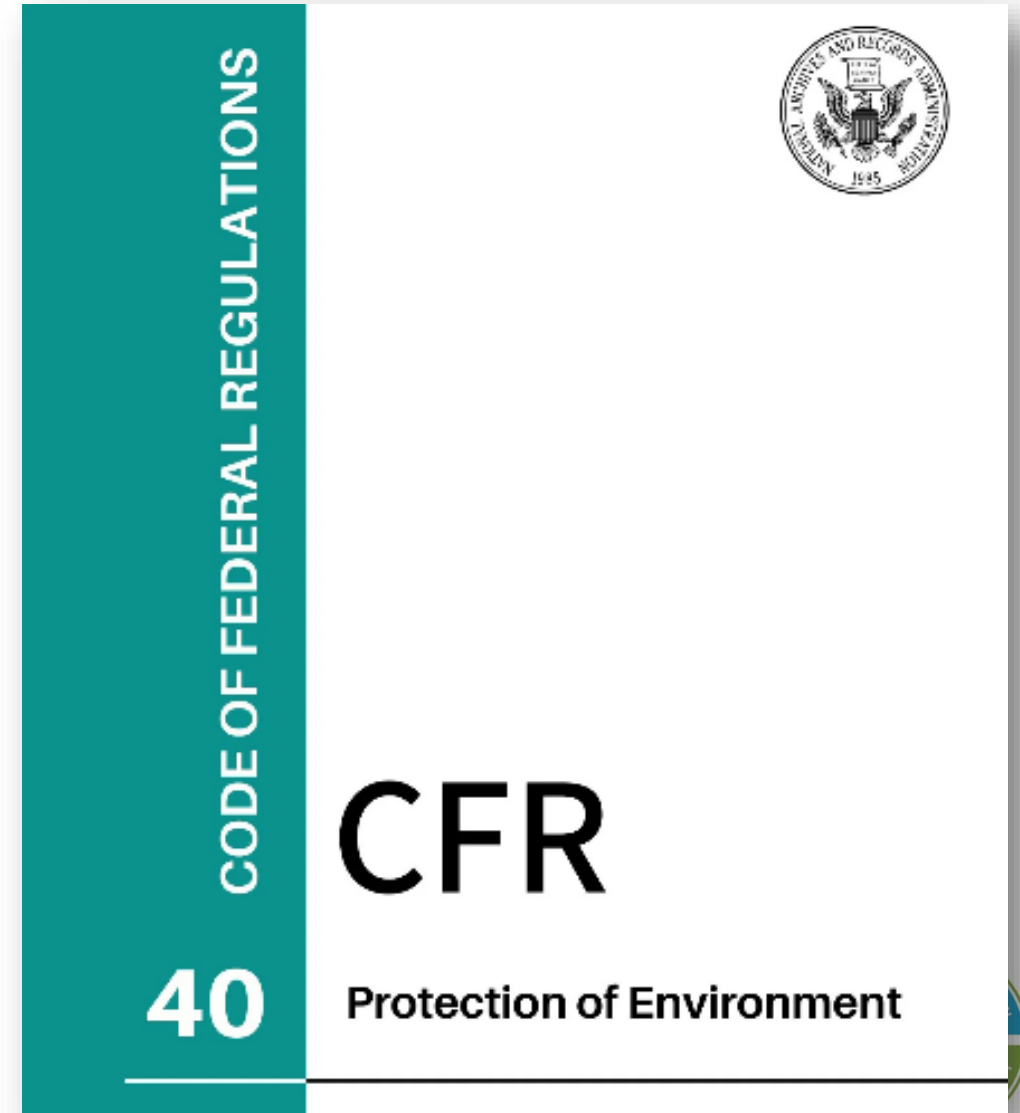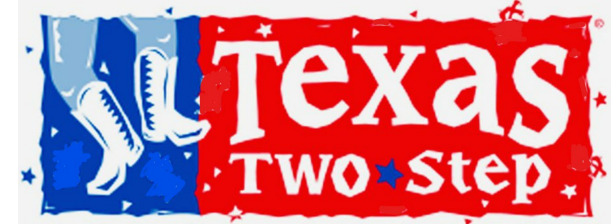

Source: TCEQ Public Domain Image Archive (internal)

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Federal 2017 *MS4 General Permit Remand Rule*

- Includes options for states to administer their Phase II MS4 program,   40 CFR §122.28(d)

- **Option 1**: **Comprehensive General Permit Approach**
- The general permit includes all "clear, specific, and measurable" requirements necessary to meet the MS4 permit standard "to reduce pollutants to the maximum extent practicable" (MEP)
- No additional requirements are established after permit issuance

- **Option 2**: **Two-Step General Permit (Procedural Approach)**
- *First Step*: The general permit includes "clear, specific, and measurable" requirements for some program areas for all MS4s
- *Second Step*: The state establishes additional requirements and BMPs for individual MS4s (this is in the SWMPs)

CODE OF FEDERAL REGULATIONS

CFR

40 Protection of Environment

Previous Texas Phase II MS4 General Permit

Two-Step Permitting:

1. TCEQ issued statewide "base" general permit

    - Three permit cycles - 2007, 2013, 2019

2. MS4s wrote their own SWMP – with enforceable permit requirements

    - TCEQ and EPA reviewed each MS4's NOI/SWMP

    - MS4s published notice of NOI/SWMP in newspaper

        - 30-day public comment period and opportunity for public meeting

    - TCEQ responded to public comments and held public meetings

    - TCEQ approved NOI/SWMP to authorize the MS4 under the general permit

    - MS4s implemented public notice process for NOCs that are not considered minor modifications

Changes for 2024 MS4 General Permit Renewal
Move from Two-Step to Comprehensive Permit Type

- Revised general permit to meet the Comprehensive General Permit standard under the federal 2017 *MS4 General Permit Remand Rule*

- Master general permit includes all the "clear, specific, and measurable" requirements for MS4s to implement in their SWMP

  - List of target audiences and pollutants or sources

  - Table of Activities/BMPs and associated Measurable Goals for each MCM

    - Specify frequency and minimum to select from

  - Based on activities from MS4s in Texas and other EPA approved state permits

  - Requirements and level of effort increase with MS4 Level

- Removed public notice requirements for NOIs and NOCs

  - During the master general permit public notice process, TCEQ provides public notice of the defined terms and conditions that will determine compliance for each MS4

Changes for 2024 MS4 General Permit Renewal
Move from Two-Step to Comprehensive Permit Type

Removed requirement to submit a SWMP with the NOI

Removed TCEQ and EPA NOI/SWMP *technical* review requirements

Only require *administrative* review of NOIs

- MS4s will identify in the NOI which activities/BMPs listed in the permit they plan to implement based on their Level
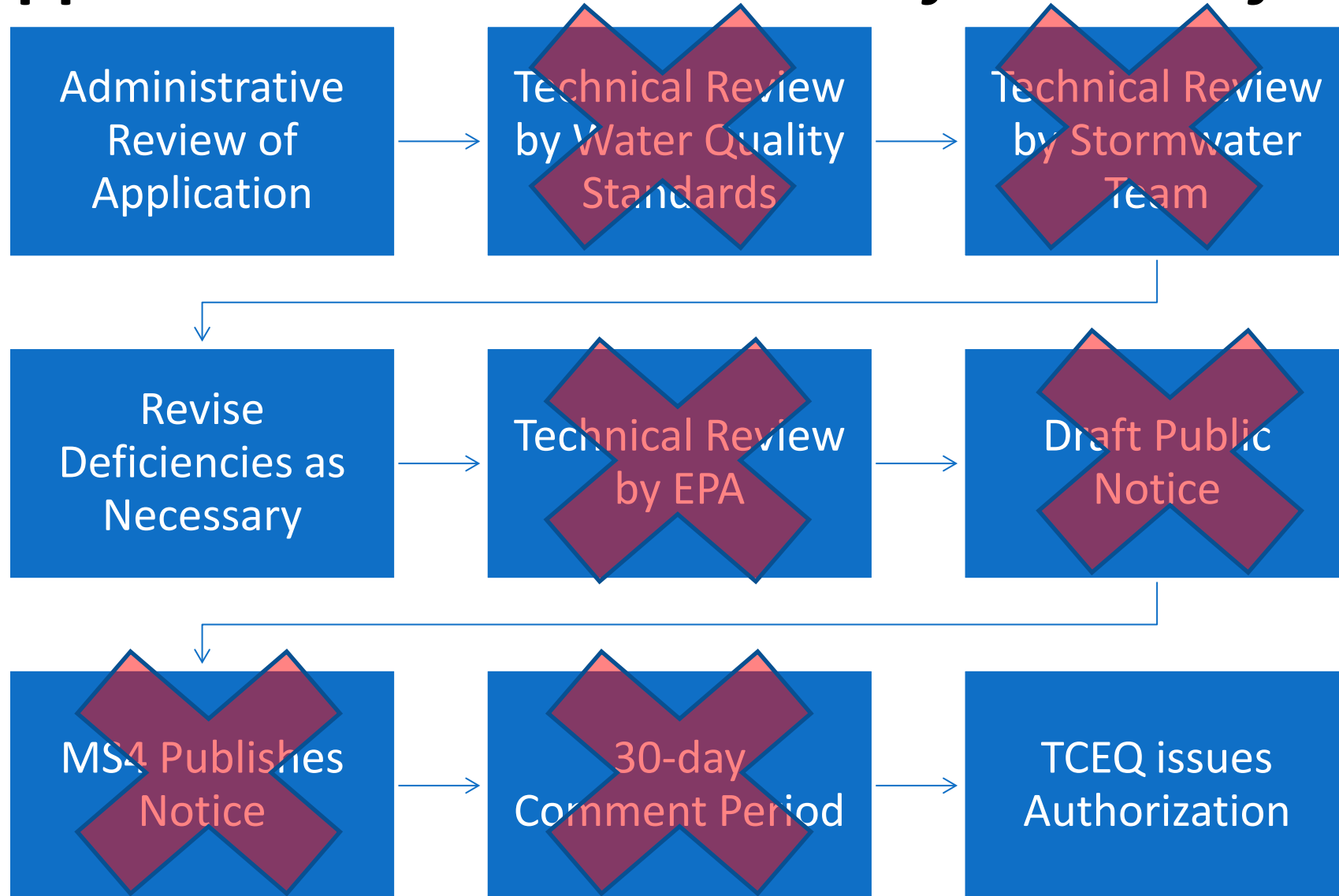
Create streamlined Annual Reporting based on NOI submittal

- Annual Report will pull activities/BMPs information from the NOI for the MS4s to report
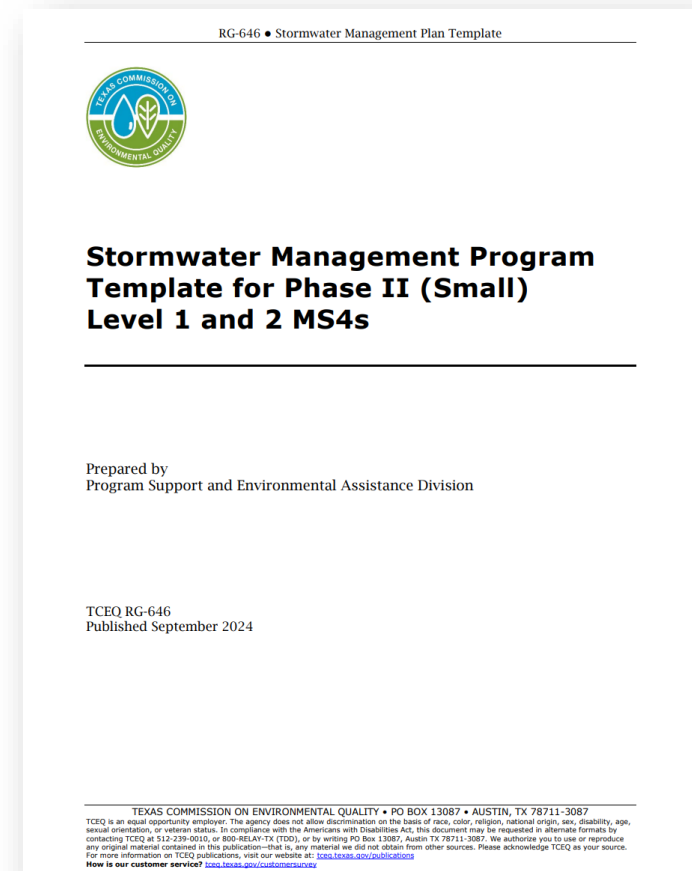
Phase II MS4 General Permit Application Review Process *Before* and *After*

Overview of SWMP

- The Stormwater Management Program (SWMP) contains seven Minimum Control Measures (MCMs) and an 8th optional MCM. The MCMs explain how they plan to achieve these control measures to the Maximum Extent Practicable (MEP) by identifying and implementing Best Management Practices (BMPs) for each.
  - The 7th MCM is only required for **Level 4** MS4s, and the 8th MCM is *optional* for any Phase II MS4.

- Under the 2024 General Permit, the SWMP is required to be drafted and implemented, but is not required to be submitted to the TCEQ along with the Notice of Intent (NOI) Application.

Texas Commission on Environmental Quality – *RG-646 SWMP Template for Phase II Level 1 and 2 MS4s. https://www.tceq.texas.gov/downloads/assistance/publications/rg-646.pdf*

Sharing SWMP Responsibilities: *Coalitions*

- Multiple MS4s that share efforts in meeting one or all SWMP requirements

- Shared SWMPs must include

  - the names and authorization numbers (TXR04####) of each coalition member, and

  - clear descriptions of each members' responsibilities for specific MCMs or other SWMP elements.

Tenney, Fred, and Kevin Hilbert. 2009. *Large Letter Postcards: The Definitive Guide 1930s to 1950s*. Atglen, Pennsylvania: Schiffer Publishing, Ltd. 176 p.

Minimum Control Measures (MCMs)

MCM 1: Public Education and Outreach

MCM 2: Public Involvement/Participation

MCM 3: Illicit Discharge Detection and Elimination (IDDE)

MCM 4: Construction Site Stormwater Runoff Control

MCM 5: Post Construction Stormwater Management in New and Redevelopment

MCM 6: Pollution Prevention and Good Housekeeping for Municipal Operations

MCM 7: Industrial Stormwater Sources (Level 4 MS4s)

MCM 8 (optional): Authorization for Construction Activities Where MS4 is Site Operator

Discharges to Impaired Waterbodies

- SWMPs and Annual Reports (more on them later) must address impaired waterbody requirements

- *Impaired*: Identified as not meeting Texas Surface Water Quality Standards on the latest **TCEQ & EPA-approved** *Texas Integrated Report Index of Water Quality Impairment*
  - Impaired with and without Total Maximum Daily Loads (TMDLs)

- MS4s must annually evaluate status of receiving waterbodies
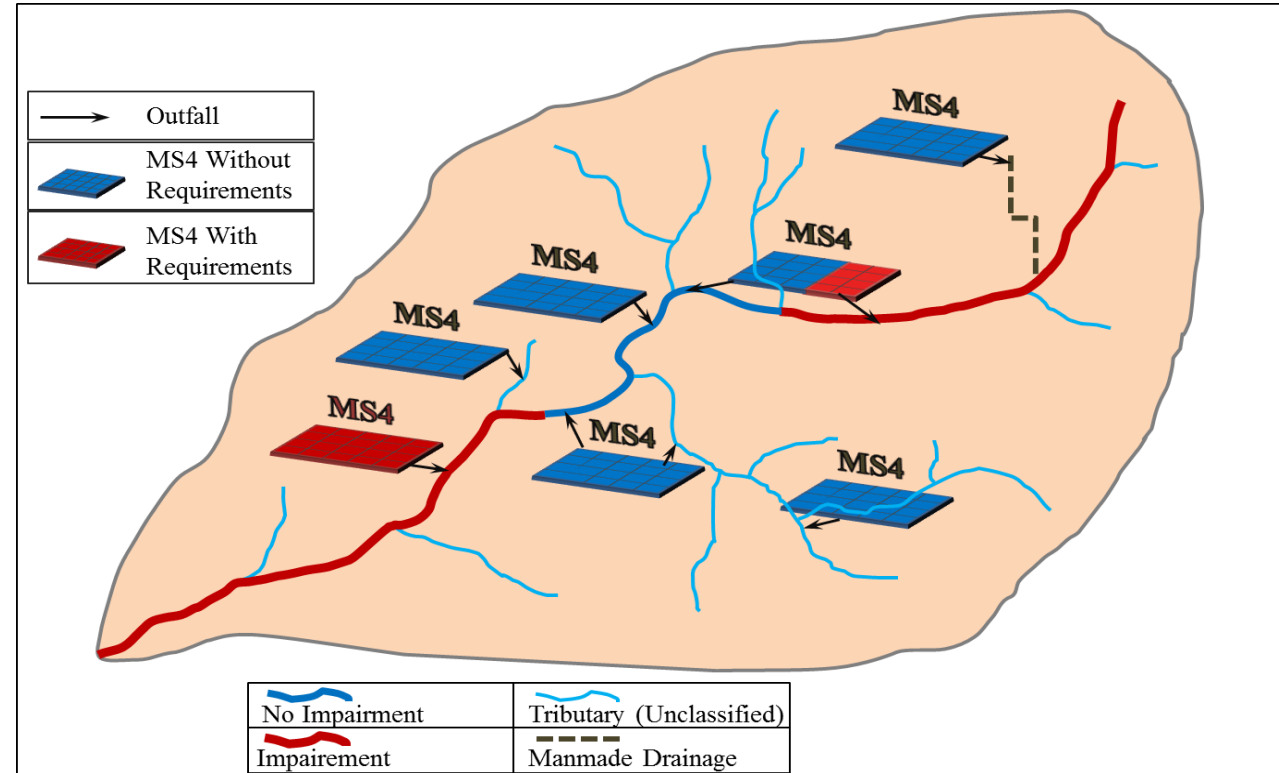 - Include findings in annual reports

Source: – https://commons.wikimedia.org/wiki/File:Guadalupe_river_Hunt_TX.jpg

Additional requirements for:
Category 5 - CWA 303(d) for stream segment, no TMDL
Category 4 - Not on CWA 303(d), with watershed TMDL

Direct Discharges to Impaired Waterbodies Without a TMDL

- Discharges **directly** into Impaired Water Bodies **without** an Approved TMDL
  - Determine if MS4 is source of the Pollutant of Concern (POC)
  - Describe focused BMPs in SWMP
  - Each BMP to include a measurable goal

- If POC is bacteria
  - Identify potential sources and implement BMPs
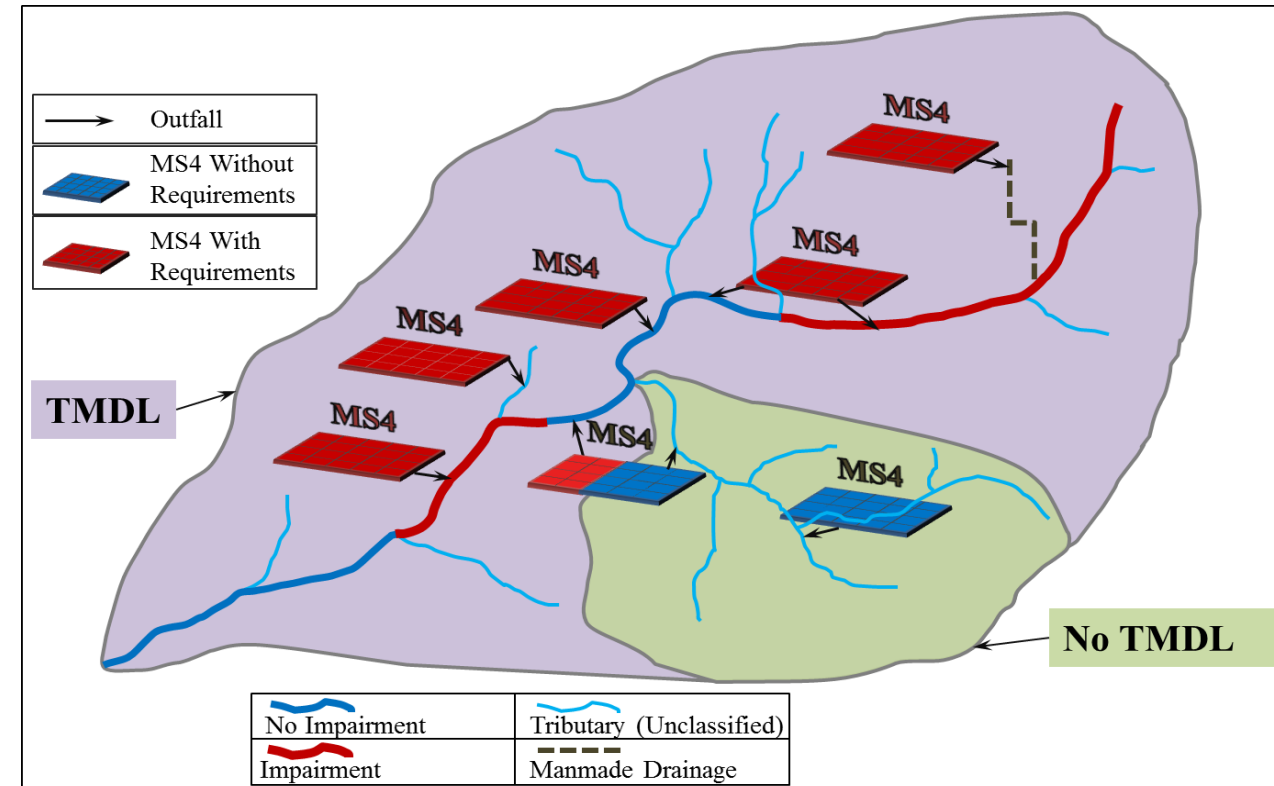
- Report progress in annual report

Determining requirements for **direct** discharges into Impaired Water Bodies **without** an Approved TMDL

Discharges to Impaired Waterbodies With a TMDL

- Discharges into Impaired Water Bodies **with** an Approved TMDL
  - Determine if MS4 is source of the POC
  - Identify a Benchmark = TMDL's Waste Load Allocation
  - Implement targeted controls (BMPs) with measurable goals
  - If POC is bacteria refer to I-Plan or use alternative BMPs

- Assess progress towards benchmark
  - If no progress, select alternative BMPs

Determining requirements for **direct or indirect** discharges into Impaired Water Bodies **with** an Approved TMDL

Tiered Permitting Approach

Level 1
- Up to 10,000*

Level 2
- **Level 2a**: Includes traditional MS4s, 10,000 to 40,000*
- **Level 2b:** Includes non-traditional MS4s
- Additional Requirement in MCM 3 for both

Level 3
- 40,000 to less than 100,000*
- Additional Requirements in MCMs 3, 4, and 6

Level 4
- 100,000 or more*
- Additional Requirements in MCMs 3, 4, 5, and 6
- Required to implement MCM 7

* MS4's population in Urban Area based on most recent Decennial Census

- Waiver options available for certain Level 1 MS4s

Understanding the General Permit

- Once you have determined your MS4 is eligible for coverage by the submission of a NOI, a SWMP must be developed prior to the submission of a NOI.

  - Read and understand the requirements for a SWMP
    - Outlined in **Part IV** of the General Permit
  - Develop the SWMP
    - General required elements of **Part IV, Section C**
  - Select appropriate BMPs
  - Implement the SWMP once coverage has been approved

MCM 1: Public Education and Outreach

(a) – General description of the MCM

(1) - Requirements for MCM 1

- Target audiences
- Additional Target Audiences for Levels 3 and 4:
  - Schools, businesses, industrial facilities, visitors (Table 2*)

(2) – Targeted Pollutant Sources

- Listed in Table 3*

*Not pictured in presentation**

1. **Public Education and Outreach**

(a) The small MS4 operator shall implement a public education and outreach program to distribute educational materials to the community and conduct equivalent outreach about the impacts of stormwater discharges on water bodies and the steps that the public can take to reduce pollutants in stormwater runoff.

(1) The public education and outreach program shall at a minimum include the following target audiences, as applicable:

a. *Traditional MS4s* and counties shall address the residents being served;

b. *Non-traditional MS4s* (other than counties) shall address the community served by the MS4 as listed below:

(i) Universities shall target the faculty, other staff, and students;

(ii) Military bases shall target military personnel (and dependents), and employees (including contractors);

(iii) Prison complexes or other multi-building complexes shall target staff and contractors;

(iv) Municipal Utility Districts and other special districts shall target residents served, staff, and contractors; and

(v) Transportation authorities shall address staff, contractors, and users.

c. Small MS4 operators shall address additional target audiences within the small MS4 service area (such as but not limited to, those listed in Table 2) as listed below:

(i) Levels 1, 2a, and 2b: No requirement for additional audiences;

(ii) Level 3: A minimum of one additional audience; or

(iii) Level 4: A minimum of two additional audiences.

MCM 1: Public Education and Outreach

(3) – Best Management Practice description

- – Describes the intention for BMPs

(a) – Posting of SWMP and Annual Report

- – Required for all MS4s with a public website

(b) – Additional BMPs required dependent on MS4 Level

- – Listed on table 4

(3) Small MS4 operators must use appropriate educational resources as BMPs (materials, events, activities, etc.) in conjunction with the selected pollutants for the selected audiences. The message delivered by these BMPs must be applicable to the target audience and relate to the target pollutant (such as a newsletter article about updated illegal dumping and discharge ordinances distributed to auto mechanic businesses or a hazardous household waste disposal flyer when applying for trash or recycling services). BMPs which are ongoing throughout the year or permit term may be counted as one annual BMP. Permittees shall explain how each BMP relates to the target pollutant and target audience. Small MS4 operators may change BMPs during the permit cycle if determined appropriate through annual reviews and a different BMP may be more effective for the small MS4's target pollutant or target audience. Any changes shall be reflected in the SWMP and explained in the annual report.

a. If the permittee has a public website, the permittee shall post its SWMP and the annual reports required under Part V.B.2 or a summary of the annual report on the permittee's website.

   (i) The SWMP must be posted no later than 30 days after the NOI or NOC approval date; and

   (ii) The annual report no later than 30 days after the due date.

b. Over the permit term, small MS4 operators shall implement a minimum number of public education and outreach BMPs from Table 4, as follows:

   (i) Level 1: three BMPs;

   (ii) Levels 2a and 2b: four BMPs; or

   (iii) Levels 3 and 4: five BMPs.

MCM 1: Public Education and Outreach
(Example)

Table 4: Required Public Education and Outreach BMPs

Activity/BMP	Measurable Goals
Information on the MS4 operator's website.	Maintain a webpage with current and accurate information and working links. • All links shall be checked, and the page shall be updated as necessary at a minimum of once annually. • Must be maintained for the full year, each year.
Social media posts, social media campaign.	Post a minimum of four times each year on a minimum of one social media platform. • The message shall address ways attendees can minimize or avoid adverse stormwater impacts or practices to improve the quality of stormwater runoff. • The messages shall be seasonally appropriate. • Must make a minimum of one post per quarter and all quarterly posts must be visible by attendees for the full year, each year.

Activity

Implementation Schedule

Activity Requirements

MCM 3: Illicit Discharge Detection and Elimination (IDDE)

a) *Program Development*

1) *All permittees shall develop, implement, and enforce a program to investigate, detect, and eliminate illicit discharges into the small MS4. The program must include a plan to detect and address non-stormwater discharges, including illegal dumping to the small MS4.*

b) *Allowable Non-Stormwater Discharges*

c) *Requirements for all Permittees*

– Details of BMP requirements

MCM 3: Illicit Discharge Detection and Elimination (IDDE)
(Example)

Activity/BMP	Measurable Goals
Inspections in response to complaints as described in Part IV.D.3.(c)(6).	Conduct inspections in response to 100% of complaints each year according to the established procedures (or some Level 2b MS4s must notify the appropriate agency with the authority to act).
	Conduct follow up inspections in 100% of cases each year where necessary as described in the established procedures (except for some Level 2b MS4s without the appropriate authority to act).

MCM 3: IDDE
(Example)

(6)   Inspections – The permittee shall conduct inspections, in response to complaints, and shall conduct follow-up inspections to ensure that corrective measures have been implemented by the responsible party.

The permittee shall develop written procedures describing the basis for conducting inspections in response to complaints and conducting follow-up inspections.
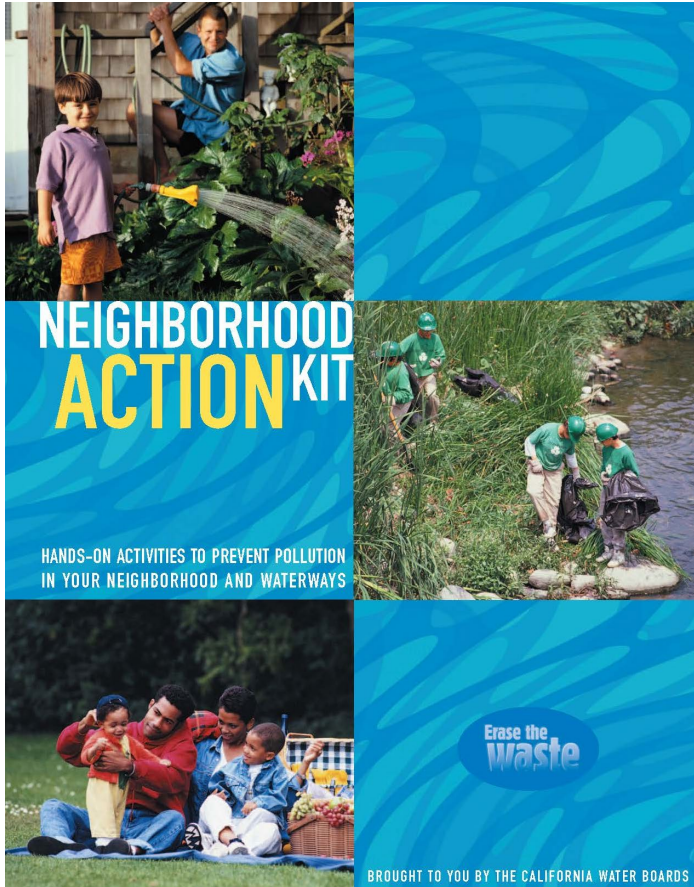
MCM 1: Public Education and Outreach

❖ What is required?

- Over the permit term, small MS4 operators shall implement a minimum number of public education and outreach BMPs, as follows:

  - Level 1: three BMPs
  - Levels 2a and 2b: four BMPs
  - Levels 3 and 4: five BMPs.

- Examples of BMPs:

  - Educate public employees, businesses, and the general public
  - Distribute educational material
  - Social media posts/campaigns
  - Post SWMP on website (if MS4 has one)
  - Post annual report on website (if MS4 has one)

Source: EPAs Stormwater Phase II Final Rule Fact Sheet Series (https://www.epa.gov/npdes/stormwater-phase-ii-final-rule-fact-sheet-series)

MCM 2: Public Involvement/Participation

Source: EPAs NPS Outreach Toolbox
(https://cfpub.epa.gov/npstbx/index.cfm)

❖ Previously a part of MCM 1, now with separate requirements for fulfillment.

❖ What is required?

- Over the permit term, small MS4 operators shall implement a minimum number of public involvement/participation activities and measurable goals, as follows:

  - Level 1 small MS4: two BMPs
  - Levels 2a and 2b small MS4: three BMPs
  - Levels 3 and 4 small MS4: four BMPs.

- Examples of BMPs:

  - Stream/Lake Clean-Up Events
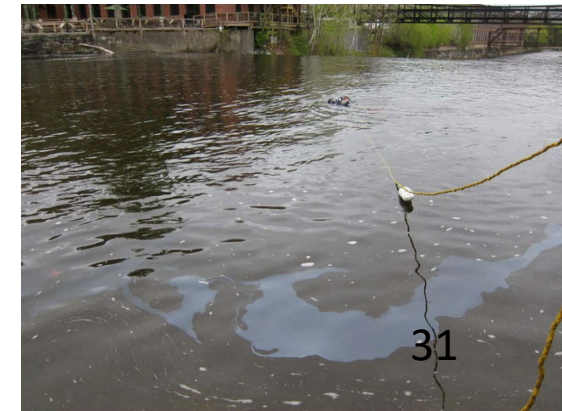 - Volunteer Water Quality Monitoring Groups
  - Public Meetings

MCM 3: Illicit Discharge Detection and Elimination (IDDE)

Oil and Water Really Don't Mix

Don't dump used motor oil into storm drains, because they lead directly to streams and lakes. Please bring used motor oil to one of these free oil recycling centers:

O'Reilly Auto Parts
Pep Boys
Advance Auto Parts
Auto Zone Auto Parts
Household Hazardous
Waste Collection Center

Questions?
Call the City of Greensboro
Environmental Helpline
373-2812

Source: EPAs NPS Outreach Toolbox (https://cfpub.epa.gov/npstbx/index.cfm)

❖ What is required?

- All permittees shall develop, implement, and enforce a program to investigate, detect, and eliminate illicit discharges into the small MS4. The program must include a plan to detect and address non-stormwater discharges, including illegal dumping to the small MS4.
  - MS4 Mapping
  - Education and Training
  - Public Reporting of Illicit Discharges and Spills
  - All permittees shall develop and maintain onsite procedures for responding to illicit discharges, illegal dumping, and spills.
  - Source Investigation and Elimination
  - Inspections

- Additional requirements for Levels 3 and 4 Phase II MS4s

MCM 4: Construction Site Stormwater Runoff Control

Source: EPAs NPS Outreach Toolbox (https://cfpub.epa.gov/npstbx/index.cfm)

❖ What is required?

- All permittees shall develop, implement, and enforce a program requiring operators of small and large construction activities to select, install, implement, and maintain stormwater control measures that prevent illicit discharges to the MEP.

- Construction plan review/site inspections and enforcement

  - Required BMPs for all Phase II MS4s

  - Additional requirement for Level 3 and 4 Phase II MS4s to maintain construction site inventory

MCM 6: Pollution Prevention and Good Housekeeping for Municipal Operations

❖ What is required?

- All permittees shall develop and implement an operation and maintenance program (O&M), including an employee training component

  - Permittee-owned Facilities and Control Inventory
  - Training and Education
  - Disposal of Waste Material
  - Contractor Requirements and Oversight
  - Municipal Operation and Maintenance Activities
  - Structural Control Maintenance

- Additional requirements for Levels 3 and 4 Phase II MS4s

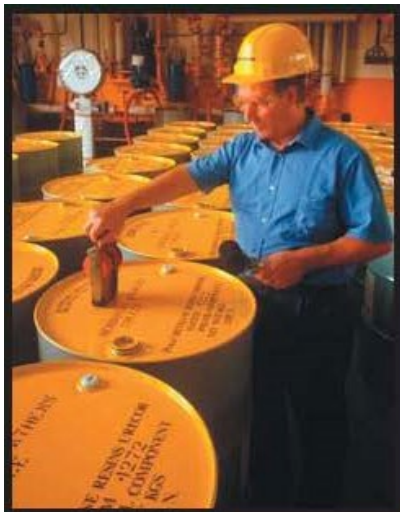- <u>More</u> additional requirements for Level 4 Phase II MS4s

MCM 7: Industrial Stormwater Sources

❖ What is required?

- No requirements for this MCM **unless** you are a **Level 4** Phase II MS4.

- Permittees who operate Level 4 small MS4s shall **identify and control** pollutants in stormwater discharges to the small MS4 from the permittee's industrial sites

  - This includes landfills, municipal/hazardous waste facilities, and any other industrial or commercial discharge the permittee determines are contributing a substantial pollutant loading to the small MS4.

- Development and implementation of SOPs for inspections of industrial sites

Source: EPAs Stormwater Phase II Final Rule Fact Sheet Series (https://www.epa.gov/npdes/stormwater-phase-ii-final-rule-fact-sheet-series)

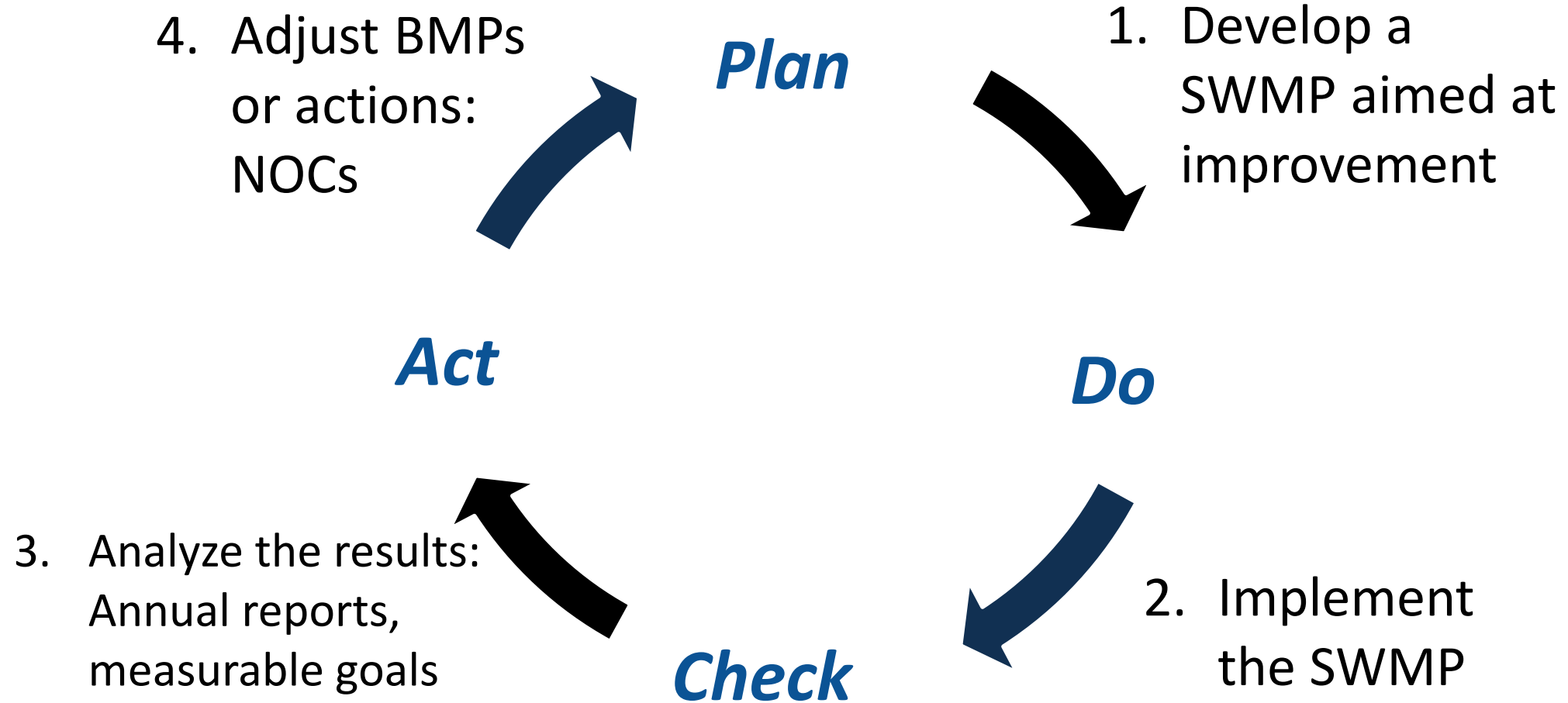# MCM 8 (optional): Authorization for Construction Activities Where the MS4 is the Site Operator

Source: Environmental Protection Agency
https://19january2021snapshot.epa.gov/dera/reducing-diesel-emissions-construction-and-agriculture_.html

❖ What is required?

- Nothing is required. This MCM is optional for all Phase II MS4 operators and provides an alternative to the MS4 operator seeking coverage under TPDES CGP, TXR150000, for each construction activity.

- When developing this measure, the permittee is required to meet all requirements of, and be consistent with:
  - Applicable effluent limitation guidelines for the Construction and Development industry
  - TPDES CGP TXR150000 (2023 Construction General Permit)
  - Part IV.D.4 and Part VII of the 2024 Phase II MS4 General Permit.

- Includes narrative descriptions of how construction activities will be conducted, the area that the MCM will address, how the permittee will supervise contractor activities, and how a SWP3 will be developed for each site. Records of municipal construction activities are also required.

Management Programs and Continuous Improvements

4. Adjust BMPs or actions: NOCs

Plan

1. Develop a SWMP aimed at improvement

Act

Do

3. Analyze the results: Annual reports, measurable goals

2. Implement the SWMP

Check

Application Process- TCEQ Review

- TCEQ will conduct an administrative review of applications for deficiencies and items requiring attention.

- The following items will be reviewed:

  - Compliance History

  - Delinquent or Outstanding Fees

  - Core Data Form (CDF)

  - Application Fee for NOIs

Application Process- TCEQ Review

Approval

- You will receive confirmation from the NeT-MS4 system that your application has been approved.

- The letter and certificate will be sent automatically as an email from the NeT-MS4 system.

Note: *Changes to information in the NOI can be made by submitting a **Notice of Change (NOC)** through the NeT-MS4 system.*

Application Process- TCEQ Review
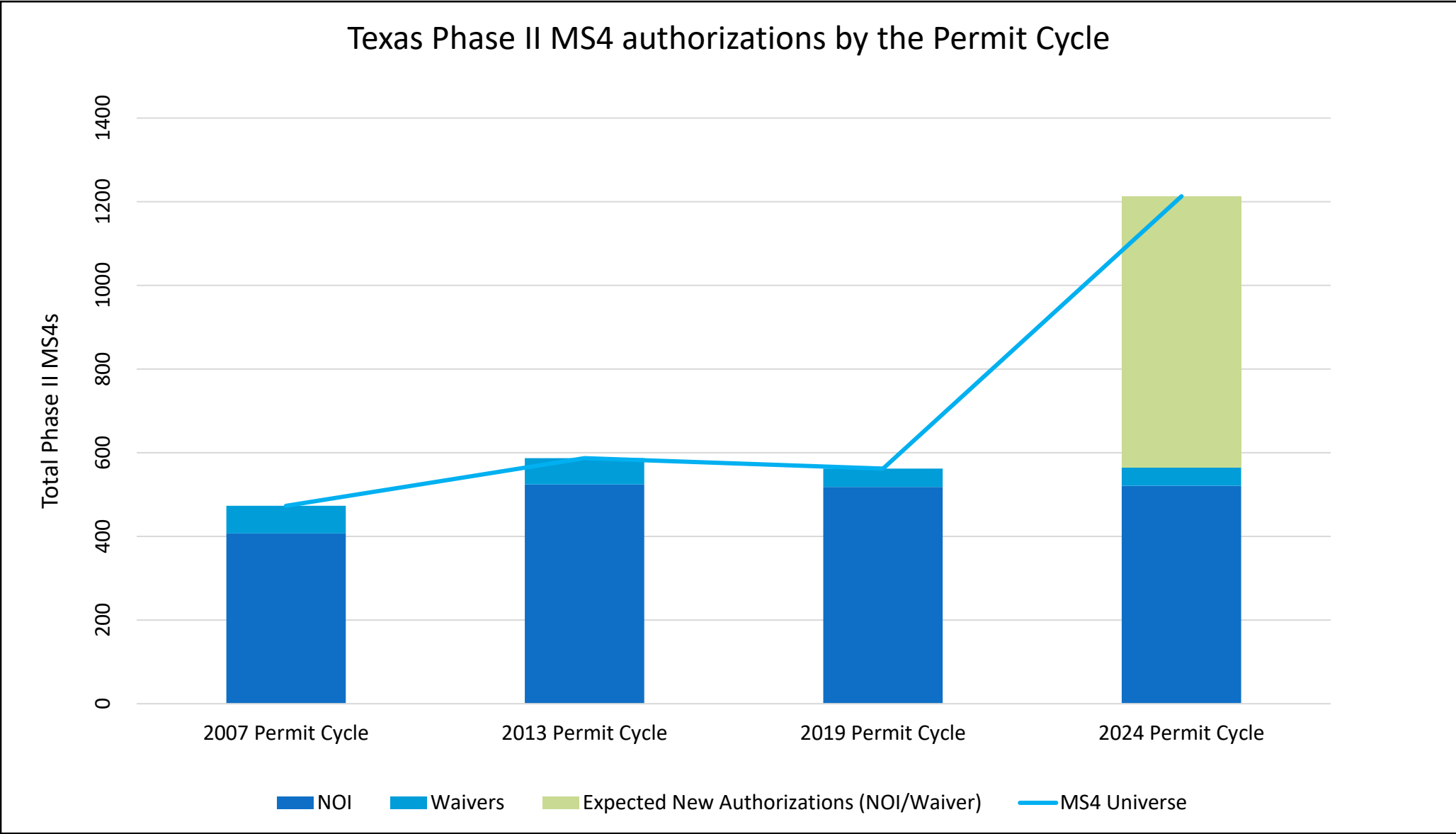
Denial (Notice of Deficiency)

- If you receive notification from the NeT-MS4 system that your application was denied, you will need to address TCEQ's comments and resubmit your application.

- Will appear as new NOI submittal in NeT-MS4.

- For example, your application was deficient in information on the CDF.

Denial

- Incorrect application type

- Unsatisfactory Compliance History Rating

- Outstanding fees/unpaid delinquent fees

- For example, if waiver eligibility is not met for population criteria or MS4 discharges to water body with an approved TMDL with stormwater controls.

Phase II MS4 Universe Growth

Texas Phase II MS4 authorizations by the Permit Cycle

* Based on TCEQ's current databases and preliminary research findings

Annual Reports

- A concise report of progress made towards implementing MCMs within SWMP, required to be updated and submitted annually for each reporting year of the permit.
    - For the 2024 MS4 General Permit, all MS4s are required to submit annual reports on a Calendar Year schedule (January 1st-December 31st).
- Information required on each annual report includes:
    - Information on BMPs and progress towards achieving measurable goals to the MEP, information on impaired waterbody monitoring and management, and other topics relevant to the SWMP and annual progress made.
- Annual reports must be submitted to the TCEQ within 90 days of the end of each Calendar Year (i.e., March 31st)
- All annual reports are required to be submitted electronically through NeT-MS4 unless an electronic reporting waiver is requested and obtained.

Source: TCEQ Public Domain Image Archive (Internal)

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Transitioning to Calendar Year

For MS4s previously reporting for:

Permit Year
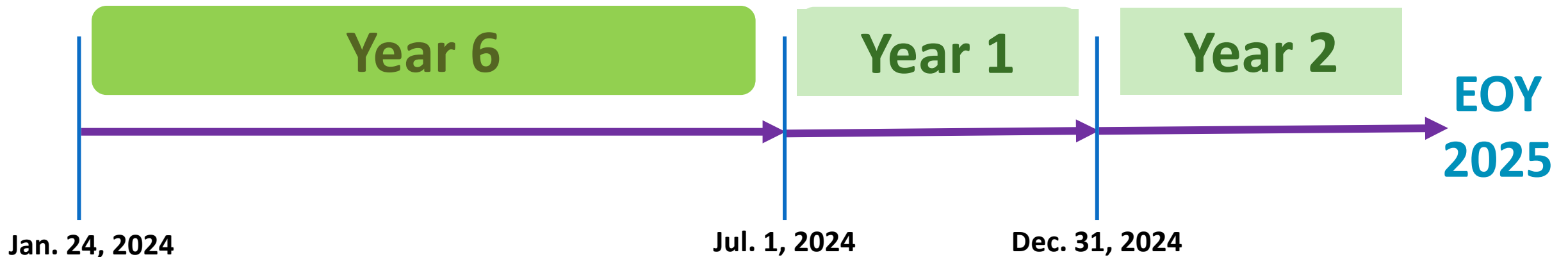
Fiscal Year

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Transitioning to Calendar Year: Permit Year

Scenario: Permittee reports based on permit year for 2019 permit cycle and obtains permit coverage on July 1st.

2019 Permit Cycle

2024 Permit Cycle

Year 6

Year 1

Year 2

EOY 2025
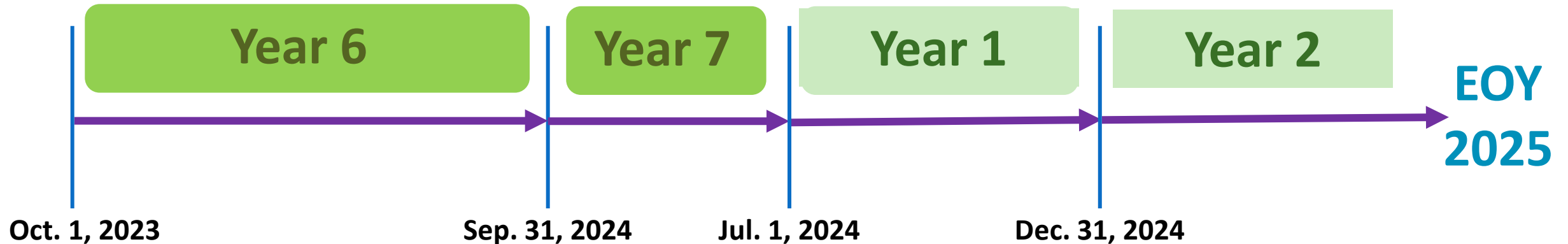
Jan. 24, 2024

Jul. 1, 2024

Dec. 31, 2024

Transitioning to Calendar Year: Fiscal Year

Scenario: Permittee reports based on fiscal year for 2019 permit cycle and obtains permit coverage on July 1st.

2019 Permit Cycle　　　　　　**2024 Permit Cycle**

| Year 6 | Year 7 | Year 1 | Year 2 |

EOY 2025

Oct. 1, 2023　　　Sep. 31, 2024　　Jul. 1, 2024　　Dec. 31, 2024

Annual Reporting Timeframe

- Year 1 Annual Report begins upon approval

- All MS4s will follow Calendar Year (NOI approved-December 31, 2025.)

- Year 1 will be due electronically March 31, 2026, in NeT-MS4 and will be based on NOI information.

  - Can assign Duly Authorized Representative (DAR) to sign report.

- Operate under 2019 SWMP until NOI approval and submit paper copy to TCEQ and Regional Office.

- SWMP posted on website within 30 days on NOI approval.

Additional Notes

Coalitions

- MS4s with a shared SWMP/responsibilities will each be required to *submit* an annual report
  - MS4s may delegate the responsibility of reporting certain activities/BMPs
    - Other members may state: "Done by MS4 TXR04####"
  - Members will be listed in the annual report Submission

Additional Notes

Duly Authorized Representatives (DAR) may be designated in Net-MS4

- Must meet the requirements of 30 TAC § 305.128 *Signatories to Report*
  - Delegated to sign annual reports

Additional BMPs are encouraged but will not be listed with the NOI application.
  - These BMPs will be included in the SWMP and reported in the annual report.

Stormwater Team Contacts

Stormwater Team

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Stormwater Processing Center

📞 512-239-3700

✉️ SWPermit@tceq.texas.gov

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- Mary Huseman, SWPC
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- Carol Lee Trucksess, SWPC

Questions?