TECHNICAL MEMORANDUM

SAN ANTONIO RIVER AUTHORITY

SALITRILLO WASTEWATER TREATMENT PLANT

DESIGN CRITERIA PACKAGE FOR RFQ-DB

August 2018

Prepared by:
CP&Y, Inc.

TBPE Firm Registration No.: F-1741
1.0 General Project Description

The San Antonio River Authority (SARA) owns and operates the Salitrillo Wastewater Treatment Plant (WWTP) in Bexar County. The Salitrillo WWTP is currently permitted for an interim average annual flow (AAQ) of 5.83 million gallons a day (MGD) with an average reported AAQ for the past five (5) years of 4.45 MGD. The SARA engineering department has prepared this Design Criteria Manual based on information from the 2018 Salitrillo Facility Planning Report to assist in the procurement of a design-build contract for expanding the facility to treat an AAQ of 7.33 MGD, an organic loading at the maximum monthly average daily flow (MMQ) of 7.5 MGD and a peak 2-hour hydraulic flow (PDQ) of 18.33 MGD to achieve ultimate buildout of the Salitrillo WWTP. The expansion to this facility includes new secondary clarifiers, a new combined Reaeration Basin, a new combined UV Disinfection System, a new Intermittent Effluent Pump Station, a new effluent flow meter Parshall flume and major equipment replacement of several pumps and mechanical aerators, as well as a bar screen. This Design Criteria Manual provides a description of the Salitrillo service area and treatment facility, including projected plant flows and the current status of facility permits. Key plant site information is provided as well as the plant expansion design parameters for the Salitrillo WWTP ultimate buildout expansion.

1.1 Service Area

The Salitrillo WWTP service area is located northeast of San Antonio in Converse, Texas. The service area is 11 square miles and currently services 89,771 people. The customers in this service area include wholesale contracts with the Cities of Converse, Live Oak, and Universal City. There are also residential customers in the Camelot Subdivisions.

1.1.1 Land Use Analysis

A land use analysis identified the total service area as currently 87% developed, with the vast majority of land use designated as residential or parks and open space. The Salitrillo WWTP service area map is presented on the following page in Figure 1.1, along with details of the land usage.

1.1.2 Population Projections

Population projections for the Salitrillo WWTP were developed based on a combination of customer account data provided by SARA, future land use development analysis, accounts growth rate, and annual regional population growth rate. The ultimate buildout for the Salitrillo WWTP service area was projected to occur in year 2029, with a population of 103,843 and 40,883 Equivalent Dwelling Units (EDUs).
FIGURE 1.1 - Land Uses for Salitrilo Service Area
1.1.3 Projected Plant Flows

Historical plant flow data for the Salitrillo WWTP was used to derive the Average Annual flow (AAQ), the Max Month average daily flow (MMQ), and the Peak Daily flow (PDQ). The flow data in addition to precipitation data taken from National Oceanic and Atmospheric Administration (NOAA) National Centers for Environmental Information (NCEI) for the San Antonio area were used to derive the multipliers for establishing the project ultimate buildout flows. The multiplier for AAQ and MMQ was determined to be the average of wet years plus one standard deviation (140 AAQ/EDU and 1.25 MMQ/AAQ). Recommended PDQ/AAQ multiplier is 3.0, which is less than the average of the wet years plus one standard deviation. The PDQ/AAQ multiplier is recommended because of the limited size of the data set and variability of the data. The recommendation of 3.0 PDQ/AAQ multiplier is greater than any value found in the data set. The multipliers were used to calculate the projected ultimate buildout flow for the Salitrillo WWTP service area that are presented in Table 1.1.

<table>
<thead>
<tr>
<th>Projected Year</th>
<th>AAQ (MGD)</th>
<th>MMQ (MGD)</th>
<th>PDQ (MGD)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2029</td>
<td>5.72</td>
<td>7.15</td>
<td>17.17</td>
</tr>
</tbody>
</table>

1.1.4 Significant Industry Wastes

The service area primarily serves residential and light commercial customers with only a fraction (0.01%) of the land use identified for industrial use.

1.2 Overview of Treatment Plant

Salitrillo WWTP is an extended aeration activated sludge process that was constructed in multiple phases, resulting in two (2) treatment plants referred to by SARA operations staff as the Upper Plant and the Lower Plant. Each plant has preliminary treatment consisting of influent pumps and bar screens, followed by secondary treatment. The Lower Plant includes a grit removal process before entering the extended aeration process. Each plant is equipped with post-aeration and UV disinfection following the secondary clarifiers. The disinfected flow from the two plants is combined prior to effluent flow measurement and discharge to the receiving stream.

1.2.1 Existing Plant Process Units and Capabilities

1.2.1.1 Lower Plant

A summary of the Lower Plant treatment processes and key design elements are presented below. An overview of the site layout for the Lower Plant and its processes is shown in Figure 1.2.

- Influent Lift Station
  - Two (2) Influent screw pumps rated for 4,889 gpm each
  - Firm Capacity – 7.04 MGD
- Screening
  - One (1) Mechanical Barscreen
- One (1) Manual Barscreen

- Secondary Treatment
  - Two (2) 0.9-MG Carousels with three (3) 40-Hp mechanical aerators
  - Two (2) 1.0-MG Oxidation ditches with three (3) floating aerators
  - Two (2) 100-foot Diameter clarifiers with 14-foot Side Water Depth (SWD)

- Post-Aeration and Disinfection
  - Two (2) Post-Aeration chambers with two (2) 20-Hp aspirated mechanical aerators
  - UV Disinfection System – Two (2) Channels rated at 14.4 MGD
Figure 1.2 - Salitrillo WWTP Lower Plant
1.2.1.2 Upper Plant

A summary of the Upper Plant treatment processes and key design elements are presented below. An overview of the site layout for the Upper Plant and its processes is shown in Figure 1.3.

- Influent Lift Station
  - Two (2) Influent pumps – rated for 1,600 gpm each
  - One (1) Influent pump – rated for 1,100 gpm
  - Firm Capacity – 4.82 MGD

- Screening
  - One (1) Mechanical Barscreen
  - One (1) Manual Barscreen

- Secondary Treatment
  - One (1) 1.4 MG Carousel with three (3) 60-Hp mechanical aerators
  - One (1) 90-foot Diameter clarifier with 13-foot SWD

- Post-Aeration and Disinfection
  - Diffused Post-Aeration
  - UV Disinfection System – Rated at 3.8 MGD
Figure 1.3 - Salitrillo WWTP Upper Plant
1.2.2 Current Status of Plant Permits

1.2.2.1 TCEQ Discharge Permit

The Salitrillo WWTP is currently permitted to discharge under TCEQ Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0010749001 through March 1, 2020. The discharge permit consists of two periods; the interim period for issuance through the completion of the expansion, and a final period for after the plant expansion. These permitted discharges for each time period are summarized in Table 1.2. Table 1.3 shows a summary of the additional discharge limits for both the interim and final permit periods. The discharge permit is included in Appendix A.

**Table 1.2 - Salitrillo Discharge Permit Flows**

<table>
<thead>
<tr>
<th>Permit Period</th>
<th>Annual Average Flow (AAQ) (MGD)</th>
<th>Peak 2-Hour Flow (PDQ) (gpm)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interim</td>
<td>5.83</td>
<td>10,204</td>
</tr>
<tr>
<td>Final</td>
<td>7.33</td>
<td>12,726</td>
</tr>
</tbody>
</table>

**Table 1.3 - Salitrillo Discharge Permit Limits**

<table>
<thead>
<tr>
<th>Effluent Characteristic</th>
<th>Daily Average (mg/L)</th>
<th>7-day Average (mg/L)</th>
<th>Daily Max (mg/L)</th>
<th>Single Grab (mg/L)</th>
</tr>
</thead>
<tbody>
<tr>
<td>cBOD₅</td>
<td>7</td>
<td>12</td>
<td>22</td>
<td>32</td>
</tr>
<tr>
<td>TSS</td>
<td>15</td>
<td>25</td>
<td>40</td>
<td>60</td>
</tr>
<tr>
<td>NH₃-N</td>
<td>2</td>
<td>5</td>
<td>10</td>
<td>15</td>
</tr>
<tr>
<td>E. coli (CFU)</td>
<td>126</td>
<td>n/a</td>
<td>399</td>
<td>n/a</td>
</tr>
</tbody>
</table>

The permitted pH shall not be less than 6.0 standard units nor greater than 9.0 standard units. The effluent shall contain a minimum dissolved oxygen of 6.0 mg/L.

1.2.2.2 Compliance with 40 CFR Part 503 Sludge Regulations

SARA maintains three (3) options for the final disposal of biosolids, two (2) of which are beneficial use in nature. These methods are described as follows:

- Dewatered biosolids cake may be transported to the Martinez II WWTP where the material is mixed with other compostable materials, such as wood chips, etc., and composted at high temperatures to meet the US EPA “Process to Further Reduce Pathogens” Class A pathogen reduction criteria of fifteen (15) days above fifty-five (55) degrees Celsius with at least five (5) turnings during the high temperature period. After the material is tested for pathogen indicator organisms and regulated pollutants, it is then screened and marketed back to the general public as a soil conditioner.
• Dewatered biosolids from the Martinez II WWTP may also be disposed at the Allied Waste (BFI Tessman Road Municipal Solid Waste Landfill, TCEQ Permit No. 1410-A) for final disposal should the other option described above not be available.

1.2.2.3 Storm Water Permit

SARA maintains a stormwater discharge permit, TPDES General Permit No. TXR050000, with an effective date of August 14, 2016 with a five (5) year term. The Salitrillo WWTP is authorized under the general permit by TPDES multi-sector stormwater general permit number TXRO5K745. The general permit and the multi-sector general permit certificate are included in Appendix B.

2.0 Plant Site Information

2.1 Buffer Zone

The Salitrillo WWTP maintains a minimum distance from the property boundary and all individual treatment units, or Buffer Zone, as required by TCEQ. The approved boundaries for the Buffer Zone as submitted to TCEQ in the current Salitrillo WWTP Wastewater Discharge Permit Application as Attachment 11 are presented in Figure 2.1. All new treatment units must be constructed to maintain the approved Buffer Zone, as generally identified.
Figure 2.1 - Salitrillo WWTP Buffer Zone Map Boundaries
2.2 FEMA 100-Year Flood Map

The Salitrillo WWTP is located at a FEMA 100-year floodplain elevation of 646 feet from FEMA Flood Map 48029C0295F.

A hydraulic analysis was performed on both the Lower and Upper Plants to determine the hydraulic constraints in the treatment trains. The current effluent flow meter structure and discharge pipe are restricted at the 100-year flood condition, resulting in significant restrictions to the Lower Plant treatment processes at the final expansion permitted peak 2-Hour flow (PDQ) of 18.33 MGD.

Expansion improvements address the hydraulic restriction resulting from the 100-year flood elevation at the permitted final PDQ. All improvements must be designed to operate at the design hydraulic capacity during 100-year flood conditions, with outside treatment unit top-of-wall (TOW) above the 100-year flood elevations as required by TCEQ Title 30 TAC Chapter 217.

2.3 Plant Effluent Discharge Destination

The Salitrillo WWTP is authorized by permit to discharge treated effluent to an unnamed ditch, thence to Salitrillo Creek, thence to Martinez Creek Soil Conservation Service Dam No. 6A Reservoir then to Salitrillo Creek thence to Martinez Creek thence to Lower Cibolo Creek in Segment No. 1902 of the San Antonio River Basin.

3.0 Plant Expansion Design Parameters

3.1 Wastewater Quality and Quantity

3.1.1 Ultimate Buildout Design Flows

The Salitrillo WWTP ultimate buildout expansion capacity was determined based on the projected flows presented in Table 1.1 in consideration with the permitted flows assigned to the final period after the expansion presented in Table 1.2. The ultimate buildout process capacity for the treatment facility shall be designed based on the process and hydraulic capacities presented in Table 3.1.

<table>
<thead>
<tr>
<th>Process Capacity</th>
<th>Hydraulic Capacity</th>
</tr>
</thead>
<tbody>
<tr>
<td>7.50 MGD</td>
<td>18.33 MGD</td>
</tr>
<tr>
<td>MMQ</td>
<td>PDQ</td>
</tr>
</tbody>
</table>

The treatment units for the Lower and Upper Plants shall be designed based on a flow split of 76% and 24%, respectively.
3.1.2 Influent Wastewater Design Parameters

Historical plant influent data for the past five (5) years was compiled and evaluated for cBOD₅, TSS and NH₃-N. The facility design values were conservatively estimated using traditional TCEQ design criteria guidelines for development of influent wastewater quality values. Table 3.2 presents both the historical influent data and the required influent wastewater design parameters.

<table>
<thead>
<tr>
<th>Wastewater Characteristics</th>
<th>Historical Influent Data (mg/L)</th>
<th>Influent Design Parameters (mg/L)</th>
</tr>
</thead>
<tbody>
<tr>
<td>cBOD₅</td>
<td>117</td>
<td>200</td>
</tr>
<tr>
<td>TSS</td>
<td>100</td>
<td>200</td>
</tr>
<tr>
<td>NH₃-N</td>
<td>33</td>
<td>35</td>
</tr>
</tbody>
</table>

3.1.3 Effluent Wastewater Design Parameters

The effluent wastewater design quality must meet or exceed the permitted discharge limits for the final permit period presented in Section 1.2.2.1 TCEQ Discharge Permit.

3.2 Plant Design Criteria

Expansion improvements for the Salitrillo WWTP shall be designed in accordance with TCEQ Title 30 TAC Chapter 217 “Design Criteria for Domestic Wastewater Systems.” Additional criteria established by SARA for secondary clarifier surface overflow rate (SOR) shall be applied at 600 gallons per day/square foot (gpd/sf). A summary of the recommended treatment expansion improvements based on the design parameters, hydraulic analysis, and condition assessments are summarized below for each plant. Additional facility rehabilitation requirements included in the work are presented in a Supplemental Memorandum.

3.2.1 Treatment Unit Design Criteria

LOWER PLANT RECOMMENDED EXPANSION IMPROVEMENTS
- Influent Lift Station
  - Replace existing 4,889 gpm Influent Screw Pump
  - Expand screenings with a new barscreen (2 x 4 ft)
- Secondary Treatment
  - Provide supplemental aeration to secondary treatment process
  - Add two (2) new 90-foot diameter secondary clarifiers dedicated to aeration basins, resulting in two (2) secondary treatment trains

UPPER PLANT RECOMMENDED EXPANSION IMPROVEMENTS
- Influent Lift Station
  - Replace existing 1,100 gpm Influent Pump with 1,600 gpm influent pump to increase the Influent Pump Station firm capacity to 4.75 MGD
- Secondary Treatment
  - Provide supplemental aeration to secondary treatment process
▪ Add one (1) new 90-foot diameter secondary clarifier to match existing

COMBINED PLANT RECOMMENDED EXPANSION IMPROVEMENTS

- Install one (1) new combined post-aeration and UV disinfection system and abandon existing post-aeration and UV disinfection systems at the Upper and Lower Plants.
- Install a new Intermittent Low Lift Pump Station designed with a firm capacity of P2_{HRQ} to pump plant effluent during high receiving stream water elevations
- Install a new effluent flow meter Parshall flume and abandon existing flow measurement vault and Parshall flume.

3.2.2 Treatment Reliability Safeguards

Treatment reliability and emergency power requirements, as well as treatment reliability safeguards and safety requirements for the Salitrillo WWTP shall be in accordance with TCEQ Title 30 TAC Chapter 217 “Design Criteria for Domestic Wastewater Systems.”
APPENDIX A

Salitrillo Discharge Permit
TPDES PERMIT NO.
WQ0010749001
[For TCEQ office use only - EPA I.D.
No. TX0053074]

This is a renewal that replaces TPDES
Permit No. WQ0010749001 issued
April 27, 2010.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
P.O. Box 13087
Austin, Texas 78711-3087

PERMIT TO DISCHARGE WASTES
under provisions of
Section 402 of the Clean Water Act
and Chapter 26 of the Texas Water Code

San Antonio River Authority

whose mailing address is

P.O. Box 839980
San Antonio, Texas 78283

is authorized to treat and discharge wastes from the Salitrillo Creek Wastewater Treatment Facility, SIC Code 4952

located at 9638 Schaefer Road, Converse in Bexar County, Texas 78109

to an unnamed ditch; thence to Salitrillo Creek; thence to Martinez Creek Soil Conservation Service Dam No. 6A Reservoir; thence to Salitrillo Creek; thence to Martinez Creek; thence to Lower Cibolo Creek in Segment No. 1902 of the San Antonio River Basin

only according with effluent limitations, monitoring requirements and other conditions set forth in this 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 TCEQ. The issuance of this permit does not grant to the permittee the right to use private or public property for conveyance of wastewater along the discharge route described in this permit. This includes, but is not limited to, property belonging to any individual, partnership, corporation, or other entity. Neither does this 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 permit shall expire at midnight, March 1, 2020.

ISSUED DATE: March 9, 2015

For the Commission
INTERIM EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning upon the date of issuance and lasting through the completion of expansion to the 7.33 million gallons per day (MGD) facilities, the permittee is authorized to discharge subject to the following effluent limitations:

The annual average flow of effluent shall not exceed 5.83 MGD; nor shall the average discharge during any two-hour period (2-hour peak) exceed 10,204 gallons per minute (gpm).

<table>
<thead>
<tr>
<th>Effluent Characteristic</th>
<th>Discharge Limitations</th>
<th>Min. Self-Monitoring Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>mg/l (lbs/day)</td>
<td>mg/l</td>
</tr>
<tr>
<td>Flow, MGD</td>
<td>Report</td>
<td>N/A</td>
</tr>
<tr>
<td>Carbonaceous Biochemical Oxygen Demand (5-day)</td>
<td>7 (340)</td>
<td>12</td>
</tr>
<tr>
<td>Total Suspended Solids</td>
<td>15 (729)</td>
<td>25</td>
</tr>
<tr>
<td>Ammonia Nitrogen</td>
<td>2 (97)</td>
<td>5</td>
</tr>
<tr>
<td>E. coli, CFU or MPN/100 ml</td>
<td>126</td>
<td>N/A</td>
</tr>
</tbody>
</table>

2. The permittee shall utilize an Ultraviolet Light (UV) system for disinfection purposes. An equivalent method of disinfection may be substituted only with prior approval of the Executive Director.

3. The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored five times per week by grab sample.

4. There shall be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.

5. Effluent monitoring samples shall be taken at the following location(s): Following the final treatment unit.

6. The effluent shall contain a minimum dissolved oxygen of 6.0 mg/l and shall be monitored five times per week by grab sample.

7. The annual average flow and maximum 2-hour peak flow shall be reported monthly.
FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning upon the completion of expansion to the 7.33 MGD facilities and lasting through the date of expiration the permittee is authorized to discharge subject to the following effluent limitations:

   The annual average flow of effluent shall not exceed 7.33 MGD; nor shall the average discharge during any two-hour period (2-hour peak) exceed 12,726 gpm.

<table>
<thead>
<tr>
<th>Effluent Characteristic</th>
<th>Discharge Limitations</th>
<th>Min. Self-Monitoring Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>mg/l (lbs/day)</td>
<td>7-day Avg</td>
</tr>
<tr>
<td>Flow, MGD</td>
<td>N/A</td>
<td>12</td>
</tr>
<tr>
<td>Carbonaceous Biochemical Oxygen Demand (5-day)</td>
<td>7 (428)</td>
<td>12</td>
</tr>
<tr>
<td>Total Suspended Solids</td>
<td>15 (917)</td>
<td>25</td>
</tr>
<tr>
<td>Ammonia Nitrogen</td>
<td>2 (122)</td>
<td>5</td>
</tr>
<tr>
<td>E. coli, CFU or MPN/100 ml</td>
<td>126</td>
<td>N/A</td>
</tr>
</tbody>
</table>

2. The permittee shall utilize an Ultraviolet Light (UV) system for disinfection purposes. An equivalent method of disinfection may be substituted only with prior approval of the Executive Director.

3. The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored five times per week by grab sample.

4. There shall be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.

5. Effluent monitoring samples shall be taken at the following location(s): Following the final treatment unit.

6. The effluent shall contain a minimum dissolved oxygen of 6.0 mg/l and shall be monitored five times per week by grab sample.

7. The annual average flow and maximum 2-hour peak flow shall be reported monthly.
DEFINITIONS AND STANDARD PERMIT CONDITIONS

As required by Title 30 Texas Administrative Code (TAC) Chapter 305, certain regulations appear as standard conditions in waste discharge permits. 30 TAC § 305.121 - 305.129 (relating to Permit Characteristics and Conditions) as promulgated under the Texas Water Code (TWC) §§ 5.103 and 5.105, and the Texas Health and Safety Code (THSC) §§ 361.017 and 361.024(a), establish the characteristics and standards for waste discharge permits, including sewage sludge, and those sections of 40 Code of Federal Regulations (CFR) Part 122 adopted by reference by the Commission. The following text includes these conditions and incorporates them into this permit. All definitions in TWC § 26.001 and 30 TAC Chapter 305 shall apply to this permit and are incorporated by reference. Some specific definitions of words or phrases used in this permit are as follows:

1. Flow Measurements

   a. Annual average flow - the arithmetic average of all daily flow determinations taken within the preceding 12 consecutive calendar months. The annual average flow determination shall consist of daily flow volume determinations made by a totalizing meter, charted on a chart recorder and limited to major domestic wastewater discharge facilities with one million gallons per day or greater permitted flow.

   b. Daily average flow - the arithmetic average of all determinations of the daily flow within a period of one calendar month. The daily average flow determination shall consist of determinations made on at least four separate days. If instantaneous measurements are used to determine the daily flow, the determination shall be the arithmetic average of all instantaneous measurements taken during that month. Daily average flow determination for intermittent discharges shall consist of a minimum of three flow determinations on days of discharge.

   c. Daily maximum flow - the highest total flow for any 24-hour period in a calendar month.

   d. Instantaneous flow - the measured flow during the minimum time required to interpret the flow measuring device.

   e. 2-hour peak flow (domestic wastewater treatment plants) - the maximum flow sustained for a two-hour period during the period of daily discharge. The average of multiple measurements of instantaneous maximum flow within a two-hour period may be used to calculate the 2-hour peak flow.

   f. Maximum 2-hour peak flow (domestic wastewater treatment plants) - the highest 2-hour peak flow for any 24-hour period in a calendar month.

2. Concentration Measurements

   a. Daily average concentration - the arithmetic average of all effluent samples, composite or grab as required by this permit, within a period of one calendar month, consisting of at least four separate representative measurements.

      i. For domestic wastewater treatment plants - When four samples are not available in a calendar month, the arithmetic average (weighted by flow) of all values in the previous four consecutive month period consisting of at least four measurements shall be utilized as the daily average concentration.
ii. For all other wastewater treatment plants - When four samples are not available in a
calendar month, the arithmetic average (weighted by flow) of all values taken during
the month shall be utilized as the daily average concentration.

b. 7-day average concentration - the arithmetic average of all effluent samples, composite
or grab as required by this permit, within a period of one calendar week, Sunday through
Saturday.

c. Daily maximum concentration - the maximum concentration measured on a single day,
by the sample type specified in the permit, within a period of one calendar month.

d. Daily discharge - the discharge of a pollutant measured during a calendar day or any 24-
hour period that reasonably represents the calendar day for purposes of sampling. For
pollutants with limitations expressed in terms of mass, the daily discharge is calculated
as the total mass of the pollutant discharged over the sampling day. For pollutants with
limitations expressed in other units of measurement, the daily discharge is calculated as
the average measurement of the pollutant over the sampling day.

The daily discharge determination of concentration made using a composite sample shall
be the concentration of the composite sample. When grab samples are used, the daily
discharge determination of concentration shall be the arithmetic average (weighted by
flow value) of all samples collected during that day.

e. Bacteria concentration (E. coli or Enterococci) - Colony Forming Units (CFU) or Most
Probable Number (MPN) of bacteria per 100 milliliters effluent. The daily average
bacteria concentration is a geometric mean of the values for the effluent samples
collected in a calendar month. The geometric mean shall be determined by calculating
the nth root of the product of all measurements made in a calendar month, where n
equals the number of measurements made; or, computed as the antilogarithm of the
arithmetic mean of the logarithms of all measurements made in a calendar month. For
any measurement of bacteria equaling zero, a substituted value of one shall be made for
input into either computation method. If specified, the 7-day average for bacteria is the
geometric mean of the values for all effluent samples collected during a calendar week.

f. Daily average loading (lbs/day) - the arithmetic average of all daily discharge loading
calculations during a period of one calendar month. These calculations must be made for
each day of the month that a parameter is analyzed. The daily discharge, in terms of
mass (lbs/day), is calculated as (Flow, MGD x Concentration, mg/l x 8.34).

g. Daily maximum loading (lbs/day) - the highest daily discharge, in terms of mass
(lbs/day), within a period of one calendar month.

3. Sample Type

a. Composite sample - For domestic wastewater, a composite sample is a sample made up
of a minimum of three effluent portions collected in a continuous 24-hour period or
during the period of daily discharge if less than 24 hours, and combined in volumes
proportional to flow, and collected at the intervals required by 30 TAC § 319.9 (a). For
industrial wastewater, a composite sample is a sample made up of a minimum of three
effluent portions collected in a continuous 24-hour period or during the period of daily
discharge if less than 24 hours, and combined in volumes proportional to flow, and
collected at the intervals required by 30 TAC § 319.9 (b).
b. Grab sample - an individual sample collected in less than 15 minutes.

4. Treatment Facility (facility) - wastewater facilities used in the conveyance, storage, treatment, recycling, reclamation and/or disposal of domestic sewage, industrial wastes, agricultural wastes, recreational wastes, or other wastes including sludge handling or disposal facilities under the jurisdiction of the Commission.

5. The term “sewage sludge” is defined as solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in 30 TAC Chapter 312. This includes the solids that have not been classified as hazardous waste separated from wastewater by unit processes.

6. Bypass - the intentional diversion of a waste stream from any portion of a treatment facility.

MONITORING AND REPORTING REQUIREMENTS

1. Self-Reporting

Monitoring results shall be provided at the intervals specified in the permit. Unless otherwise specified in this permit or otherwise ordered by the Commission, the permittee shall conduct effluent sampling and reporting in accordance with 30 TAC §§ 319.4 - 319.12. Unless otherwise specified, a monthly effluent report shall be submitted each month, to the Enforcement Division (MC 224), by the 20th day of the following month for each discharge which is described by this permit whether or not a discharge is made for that month. Monitoring results must be reported on an approved self-report form that is signed and certified as required by Monitoring and Reporting Requirements No. 10.

As provided by state law, the permittee is subject to administrative, civil and criminal penalties, as applicable, for negligently or knowingly violating the Clean Water Act (CWA); TWC §§ 26, 27, and 28; and THSC § 361, including but not limited to knowingly making any false statement, representation, or certification on any report, record, or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance, or falsifying, tampering with or knowingly rendering inaccurate any monitoring device or method required by this permit or violating any other requirement imposed by state or federal regulations.

2. Test Procedures

a. Unless otherwise specified in this permit, test procedures for the analysis of pollutants shall comply with procedures specified in 30 TAC §§ 319.11 - 319.12. Measurements, tests, and calculations shall be accurately accomplished in a representative manner.

b. All laboratory tests submitted to demonstrate compliance with this permit must meet the requirements of 30 TAC § 25, Environmental Testing Laboratory Accreditation and Certification.

3. Records of Results

a. Monitoring samples and measurements shall be taken at times and in a manner so as to be representative of the monitored activity.

b. Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period
of at least five years (or longer as required by 40 CFR Part 503), monitoring and reporting records, including strip charts and records of calibration and maintenance, copies of all records required by this permit, records of all data used to complete the application for this permit, and the certification required by 40 CFR § 264.73(b)(9) shall be retained at the facility site, or shall be readily available for review by a TCEQ representative for a period of three years from the date of the record or sample, measurement, report, application or certification. This period shall be extended at the request of the Executive Director.

c. Records of monitoring activities shall include the following:
   i. date, time and place of sample or measurement;
   ii. identity of individual who collected the sample or made the measurement.
   iii. date and time of analysis;
   iv. identity of the individual and laboratory who performed the analysis;
   v. the technique or method of analysis; and
   vi. the results of the analysis or measurement and quality assurance/quality control records.

   The period during which records are required to be kept shall be automatically extended to the date of the final disposition of any administrative or judicial enforcement action that may be instituted against the permittee.

4. Additional Monitoring by Permittee

   If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit using approved analytical methods as specified above, all results of such monitoring shall be included in the calculation and reporting of the values submitted on the approved self-report form. Increased frequency of sampling shall be indicated on the self-report form.

5. Calibration of Instruments

   All automatic flow measuring or recording devices and all totalizing meters for measuring flows shall be accurately calibrated by a trained person at plant start-up and as often thereafter as necessary to ensure accuracy, but not less often than annually unless authorized by the Executive Director for a longer period. Such person shall verify in writing that the device is operating properly and giving accurate results. Copies of the verification shall be retained at the facility site and/or shall be readily available for review by a TCEQ representative for a period of three years.

6. Compliance Schedule Reports

   Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of the permit shall be submitted no later than 14 days following each schedule date to the Regional Office and the Enforcement Division (MC 224).
7. Noncompliance Notification

a. In accordance with 30 TAC § 305.125(9) any noncompliance which may endanger human health or safety, or the environment shall be reported by the permittee to the TCEQ. Report of such information shall be provided orally or by facsimile transmission (FAX) to the Regional Office within 24 hours of becoming aware of the noncompliance. A written submission of such information shall also be provided by the permittee to the Regional Office and the Enforcement Division (MC 224) within five working days of becoming aware of the noncompliance. The written submission shall contain a description of the noncompliance and its cause; the potential danger to human health or safety, or the environment; the period of noncompliance, including exact dates and times; if the noncompliance has not been corrected, the time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance, and to mitigate its adverse effects.

b. The following violations shall be reported under Monitoring and Reporting Requirement 7.a.:  

i. Unauthorized discharges as defined in Permit Condition 2(g).

ii. Any unanticipated bypass that exceeds any effluent limitation in the permit.

iii. Violation of a permitted maximum daily discharge limitation for pollutants listed specifically in the Other Requirements section of an Industrial TPDES permit.

c. In addition to the above, any effluent violation which deviates from the permitted effluent limitation by more than 40% shall be reported by the permittee in writing to the Regional Office and the Enforcement Division (MC 224) within 5 working days of becoming aware of the noncompliance.

d. Any noncompliance other than that specified in this section, or any required information not submitted or submitted incorrectly, shall be reported to the Enforcement Division (MC 224) as promptly as possible. For effluent limitation violations, noncompliances shall be reported on the approved self-report form.

8. In accordance with the procedures described in 30 TAC §§ 35.301 - 35.303 (relating to Water Quality Emergency and Temporary Orders) if the permittee knows in advance of the need for a bypass, it shall submit prior notice by applying for such authorization.

9. Changes in Discharges of Toxic Substances

All existing manufacturing, commercial, mining, and silvicultural permittees shall notify the Regional Office, orally or by facsimile transmission within 24 hours, and both the Regional Office and the Enforcement Division (MC 224) in writing within five (5) working days, after becoming aware of or having reason to believe:

a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant listed at 40 CFR Part 122, Appendix D, Tables II and III (excluding Total Phenols) which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
i. One hundred micrograms per liter (100 µg/L);

ii. Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;

iii. Five (5) times the maximum concentration value reported for that pollutant in the permit application; or

iv. The level established by the TCEQ.

b. That any activity has occurred or will occur which would result in any discharge, on a nonroutine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following “notification levels”:

i. Five hundred micrograms per liter (500 µg/L);

ii. One milligram per liter (1 mg/L) for antimony;

iii. Ten (10) times the maximum concentration value reported for that pollutant in the permit application; or

iv. The level established by the TCEQ.

10. Signatories to Reports

All reports and other information requested by the Executive Director shall be signed by the person and in the manner required by 30 TAC § 305.128 (relating to Signatories to Reports).

11. All Publicly Owned Treatment Works (POTWs) must provide adequate notice to the Executive Director of the following:

a. Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to CWA § 301 or § 306 if it were directly discharging those pollutants;

b. Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit; and

c. For the purpose of this paragraph, adequate notice shall include information on:

i. The quality and quantity of effluent introduced into the POTW; and

ii. Any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.

PERMIT CONDITIONS

1. General

a. When the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in an application or in any report to the Executive Director, it shall promptly submit such facts or information.
b. This permit is granted on the basis of the information supplied and representations made by the permittee during action on an application, and relying upon the accuracy and completeness of that information and those representations. After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked, in whole or in part, in accordance with 30 TAC Chapter 305, Subchapter D, during its term for good cause including, but not limited to, the following:

i. Violation of any terms or conditions of this permit;

ii. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or

iii. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.

c. The permittee shall furnish to the Executive Director, upon request and within a reasonable time, any information to determine whether cause exists for amending, revoking, suspending or terminating the permit. The permittee shall also furnish to the Executive Director, upon request, copies of records required to be kept by the permit.

2. Compliance

a. Acceptance of the permit by the person to whom it is issued constitutes acknowledgment and agreement that such person will comply with all the terms and conditions embodied in the permit, and the rules and other orders of the Commission.

b. The permittee has a duty to comply with all conditions of the permit. Failure to comply with any permit condition constitutes a violation of the permit and the Texas Water Code or the Texas Health and Safety Code, and is grounds for enforcement action, for permit amendment, revocation, or suspension, or for denial of a permit renewal application or an application for a permit for another facility.

c. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.

d. The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal or other permit violation that has a reasonable likelihood of adversely affecting human health or the environment.

e. Authorization from the Commission is required before beginning any change in the permitted facility or activity that may result in noncompliance with any permit requirements.

f. A permit may be amended, suspended and reissued, or revoked for cause in accordance with 30 TAC §§ 305.62 and 305.66 and TWC§ 7.302. The filing of a request by the permittee for a permit amendment, suspension and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

g. There shall be no unauthorized discharge of wastewater or any other waste. For the purpose of this permit, an unauthorized discharge is considered to be any discharge of wastewater into or adjacent to water in the state at any location not permitted as an outfall or otherwise defined in the Other Requirements section of this permit.
h. In accordance with 30 TAC § 305.535(a), the permittee may allow any bypass to occur from a TPDES permitted facility which does not cause permitted effluent limitations to be exceeded or an unauthorized discharge to occur, but only if the bypass is also for essential maintenance to assure efficient operation.

i. The permittee is subject to administrative, civil, and criminal penalties, as applicable, under TWC §§ 7.051 - 7.075 (relating to Administrative Penalties), 7.101 - 7.111 (relating to Civil Penalties), and 7.141 - 7.202 (relating to Criminal Offenses and Penalties) for violations including, but not limited to, negligently or knowingly violating the federal CWA §§ 301, 302, 306, 307, 308, 318, or 405, or any condition or limitation implementing any sections in a permit issued under the CWA § 402, or any requirement imposed in a pretreatment program approved under the CWA §§ 402 (a)(3) or 402 (b)(8).

3. Inspections and Entry

a. Inspection and entry shall be allowed as prescribed in the TWC Chapters 26, 27, and 28, and THSC § 361.

b. The members of the Commission and employees and agents of the Commission are entitled to enter any public or private property at any reasonable time for the purpose of inspecting and investigating conditions relating to the quality of water in the state or the compliance with any rule, regulation, permit or other order of the Commission. Members, employees, or agents of the Commission and Commission contractors are entitled to enter public or private property at any reasonable time to investigate or monitor or, if the responsible party is not responsive or there is an immediate danger to public health or the environment, to remove or remediate a condition related to the quality of water in the state. Members, employees, Commission contractors, or agents acting under this authority who enter private property shall observe the establishment’s rules and regulations concerning safety, internal security, and fire protection, and if the property has management in residence, shall notify management or the person then in charge of his presence and shall exhibit proper credentials. If any member, employee, Commission contractor, or agent is refused the right to enter in or on public or private property under this authority, the Executive Director may invoke the remedies authorized in TWC § 7.002. The statement above, that Commission entry shall occur in accordance with an establishment’s rules and regulations concerning safety, internal security, and fire protection, is not grounds for denial or restriction of entry to any part of the facility, but merely describes the Commission’s duty to observe appropriate rules and regulations during an inspection.

4. Permit Amendment and/or Renewal

a. The permittee shall give notice to the Executive Director as soon as possible of any planned physical alterations or additions to the permitted facility if such alterations or additions would require a permit amendment or result in a violation of permit requirements. Notice shall also be required under this paragraph when:

i. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in accordance with 30 TAC § 305.534 (relating to New Sources and New Dischargers); or
ii. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are subject neither to effluent limitations in the permit, nor to notification requirements in Monitoring and Reporting Requirements No. 9;

iii. The alteration or addition results in a significant change in the permittee’s sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.

b. Prior to any facility modifications, additions, or expansions that will increase the plant capacity beyond the permitted flow, the permittee must apply for and obtain proper authorization from the Commission before commencing construction.

c. The permittee must apply for an amendment or renewal at least 180 days prior to expiration of the existing permit in order to continue a permitted activity after the expiration date of the permit. If an application is submitted prior to the expiration date of the permit, the existing permit shall remain in effect until the application is approved, denied, or returned. If the application is returned or denied, authorization to continue such activity shall terminate upon the effective date of the action. If an application is not submitted prior to the expiration date of the permit, the permit shall expire and authorization to continue such activity shall terminate.

d. Prior to accepting or generating wastes which are not described in the permit application or which would result in a significant change in the quantity or quality of the existing discharge, the permittee must report the proposed changes to the Commission. The permittee must apply for a permit amendment reflecting any necessary changes in permit conditions, including effluent limitations for pollutants not identified and limited by this permit.

e. In accordance with the TWC § 26.029(b), after a public hearing, notice of which shall be given to the permittee, the Commission may require the permittee, from time to time, for good cause, in accordance with applicable laws, to conform to new or additional conditions.

f. If any toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under CWA § 307(a) for a toxic pollutant which is present in the discharge and that standard or prohibition is more stringent than any limitation on the pollutant in this permit, this permit shall be modified or revoked and reissued to conform to the toxic effluent standard or prohibition. The permittee shall comply with effluent standards or prohibitions established under CWA § 307(a) for toxic pollutants within the time provided in the regulations that established those standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

5. Permit Transfer

a. Prior to any transfer of this permit, Commission approval must be obtained. The Commission shall be notified in writing of any change in control or ownership of facilities authorized by this permit. Such notification should be sent to the Applications Review and Processing Team (MC 148) of the Water Quality Division.
b. A permit may be transferred only according to the provisions of 30 TAC § 305.64 (relating to Transfer of Permits) and 30 TAC § 50.133 (relating to Executive Director Action on Application or WQMP update).

6. Relationship to Hazardous Waste Activities

This permit does not authorize any activity of hazardous waste storage, processing, or disposal that requires a permit or other authorization pursuant to the Texas Health and Safety Code.

7. Relationship to Water Rights

Disposal of treated effluent by any means other than discharge directly to water in the state must be specifically authorized in this permit and may require a permit pursuant to TWC Chapter 11.

8. Property Rights

A permit does not convey any property rights of any sort, or any exclusive privilege.

9. Permit Enforceability

The conditions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstances, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

10. Relationship to Permit Application

The application pursuant to which the permit has been issued is incorporated herein; provided, however, that in the event of a conflict between the provisions of this permit and the application, the provisions of the permit shall control.

11. Notice of Bankruptcy

a. Each permittee shall notify the Executive Director, in writing, immediately following the filing of a voluntary or involuntary petition for bankruptcy under any chapter of Title 11 (Bankruptcy) of the United States Code (11 USC) by or against:

   i. the permittee;

   ii. an entity (as that term is defined in 11 USC, § 101(14)) controlling the permittee or listing the permit or permittee as property of the estate; or

   iii. an affiliate (as that term is defined in 11 USC, § 101(2)) of the permittee.

b. This notification must indicate:

   i. the name of the permittee and the permit number(s);

   ii. the bankruptcy court in which the petition for bankruptcy was filed; and

   iii. the date of filing of the petition.
OPERATIONAL REQUIREMENTS

1. The permittee shall at all times ensure that the facility and all of its systems of collection, treatment, and disposal are properly operated and maintained. This includes, but is not limited to, the regular, periodic examination of wastewater solids within the treatment plant by the operator in order to maintain an appropriate quantity and quality of solids inventory as described in the various operator training manuals and according to accepted industry standards for process control. Process control, maintenance, and operations records shall be retained at the facility site, or shall be readily available for review by a TCEQ representative, for a period of three years.

2. Upon request by the Executive Director, the permittee shall take appropriate samples and provide proper analysis in order to demonstrate compliance with Commission rules. Unless otherwise specified in this permit or otherwise ordered by the Commission, the permittee shall comply with all applicable provisions of 30 TAC Chapter 312 concerning sewage sludge use and disposal and 30 TAC §§ 319.21 - 319.29 concerning the discharge of certain hazardous metals.

3. Domestic wastewater treatment facilities shall comply with the following provisions:

   a. The permittee shall notify the Municipal Permits Team, Wastewater Permitting Section (MC 148) of the Water Quality Division, in writing, of any facility expansion at least 90 days prior to conducting such activity.

   b. The permittee shall submit a closure plan for review and approval to the Municipal Permits Team, Wastewater Permitting Section (MC 148) of the Water Quality Division, for any closure activity at least 90 days prior to conducting such activity. Closure is the act of permanently taking a waste management unit or treatment facility out of service and includes the permanent removal from service of any pit, tank, pond, lagoon, surface impoundment and/or other treatment unit regulated by this permit.

4. The permittee is responsible for installing prior to plant start-up, and subsequently maintaining, adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failures by means of alternate power sources, standby generators, and/or retention of inadequately treated wastewater.

5. Unless otherwise specified, the permittee shall provide a readily accessible sampling point and, where applicable, an effluent flow measuring device or other acceptable means by which effluent flow may be determined.

6. The permittee shall remit an annual water quality fee to the Commission as required by 30 TAC Chapter 21. Failure to pay the fee may result in revocation of this permit under TWC § 7-302(b)(6).

7. Documentation

   For all written notifications to the Commission required of the permittee by this permit, the permittee shall keep and make available a copy of each such notification under the same conditions as self-monitoring data are required to be kept and made available. Except for information required for TPDES permit applications, effluent data, including effluent data in permits, draft permits and permit applications, and other information specified as not
confidential in 30 TAC §§ 1.5(d), any information submitted pursuant to this permit may be claimed as confidential by the submitter. Any such claim must be asserted in the manner prescribed in the application form or by stamping the words confidential business information on each page containing such information. If no claim is made at the time of submission, information may be made available to the public without further notice. If the Commission or Executive Director agrees with the designation of confidentiality, the TCEQ will not provide the information for public inspection unless required by the Texas Attorney General or a court pursuant to an open records request. If the Executive Director does not agree with the designation of confidentiality, the person submitting the information will be notified.

8. Facilities that generate domestic wastewater shall comply with the following provisions; domestic wastewater treatment facilities at permitted industrial sites are excluded.

a. Whenever flow measurements for any domestic sewage treatment facility reach 75% of the permitted daily average or annual average flow for three consecutive months, the permittee must initiate engineering and financial planning for expansion and/or upgrading of the domestic wastewater treatment and/or collection facilities. Whenever the flow reaches 90% of the permitted daily average or annual average flow for three consecutive months, the permittee shall obtain necessary authorization from the Commission to commence construction of the necessary additional treatment and/or collection facilities. In the case of a domestic wastewater treatment facility which reaches 75% of the permitted daily average or annual average flow for three consecutive months, and the planned population to be served or the quantity of waste produced is not expected to exceed the design limitations of the treatment facility, the permittee shall submit an engineering report supporting this claim to the Executive Director of the Commission.

If in the judgment of the Executive Director the population to be served will not cause permit noncompliance, then the requirement of this section may be waived. To be effective, any waiver must be in writing and signed by the Director of the Enforcement Division (MC 169) of the Commission, and such waiver of these requirements will be reviewed upon expiration of the existing permit; however, any such waiver shall not be interpreted as condoning or excusing any violation of any permit parameter.

b. The plans and specifications for domestic sewage collection and treatment works associated with any domestic permit must be approved by the Commission and failure to secure approval before commencing construction of such works or making a discharge is a violation of this permit and each day is an additional violation until approval has been secured.

c. Permits for domestic wastewater treatment plants are granted subject to the policy of the Commission to encourage the development of area-wide waste collection, treatment, and disposal systems. The Commission reserves the right to amend any domestic wastewater permit in accordance with applicable procedural requirements to require the system covered by this permit to be integrated into an area-wide system, should such be developed; to require the delivery of the wastes authorized to be collected in, treated by or discharged from said system, to such area-wide system; or to amend this permit in any other particular to effectuate the Commission’s policy. Such amendments may be made when the changes required are advisable for water quality control purposes and are feasible on the basis of waste treatment technology, engineering, financial, and
related considerations existing at the time the changes are required, exclusive of the loss of investment in or revenues from any then existing or proposed waste collection, treatment or disposal system.

9. Domestic wastewater treatment plants shall be operated and maintained by sewage plant operators holding a valid certificate of competency at the required level as defined in 30 TAC Chapter 30.

10. For Publicly Owned Treatment Works (POTWs), the 30-day average (or monthly average) percent removal for BOD and TSS shall not be less than 85%, unless otherwise authorized by this permit.

11. Facilities that generate industrial solid waste as defined in 30 TAC § 335.1 shall comply with these provisions:

   a. Any solid waste, as defined in 30 TAC § 335.1 (including but not limited to such wastes as garbage, refuse, sludge from a waste treatment, water supply treatment plant or air pollution control facility, discarded materials, discarded materials to be recycled, whether the waste is solid, liquid, or semisolid), generated by the permittee during the management and treatment of wastewater, must be managed in accordance with all applicable provisions of 30 TAC Chapter 335, relating to Industrial Solid Waste Management.

   b. Industrial wastewater that is being collected, accumulated, stored, or processed before discharge through any final discharge outfall, specified by this permit, is considered to be industrial solid waste until the wastewater passes through the actual point source discharge and must be managed in accordance with all applicable provisions of 30 TAC Chapter 335.

   c. The permittee shall provide written notification, pursuant to the requirements of 30 TAC § 335.8(b)(1), to the Environmental Cleanup Section (MC 127) of the Remediation Division informing the Commission of any closure activity involving an Industrial Solid Waste Management Unit, at least 90 days prior to conducting such an activity.

   d. Construction of any industrial solid waste management unit requires the prior written notification of the proposed activity to the Registration and Reporting Section (MC 129) of the Registration, Review, and Reporting Division. No person shall dispose of industrial solid waste, including sludge or other solids from wastewater treatment processes, prior to fulfilling the deed recordation requirements of 30 TAC § 335.5.

   e. The term “industrial solid waste management unit” means a landfill, surface impoundment, waste-pile, industrial furnace, incinerator, cement kiln, injection well, container, drum, salt dome waste containment cavern, or any other structure vessel, appurtenance, or other improvement on land used to manage industrial solid waste.

   f. The permittee shall keep management records for all sludge (or other waste) removed from any wastewater treatment process. These records shall fulfill all applicable requirements of 30 TAC § 335 and must include the following, as it pertains to wastewater treatment and discharge:

      i. Volume of waste and date(s) generated from treatment process;
      ii. Volume of waste disposed of on-site or shipped off-site;
iii. Date(s) of disposal;
iv. Identity of hauler or transporter;
v. Location of disposal site; and
vi. Method of final disposal.

The above records shall be maintained on a monthly basis. The records shall be retained at the facility site, or shall be readily available for review by authorized representatives of the TCEQ for at least five years.

12. For industrial facilities to which the requirements of 30 TAC § 335 do not apply, sludge and solid wastes, including tank cleaning and contaminated solids for disposal, shall be disposed of in accordance with THSC § 361.

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SLUDGE PROVISIONS

The permittee is authorized to dispose of sludge only at a Texas Commission on Environmental Quality (TCEQ) authorized land application site or co-disposal landfill. The disposal of sludge by land application on property owned, leased or under the direct control of the permittee is a violation of the permit unless the site is authorized with the TCEQ. This provision does not authorize Distribution and Marketing of sludge. This provision does not authorize land application of Class A Sludge. This provision does not authorize the permittee to land apply sludge on property owned, leased or under the direct control of the permittee.

SECTION I. REQUIREMENTS APPLYING TO ALL SEWAGE SLUDGE LAND APPLICATION

A. General Requirements

1. The permittee shall handle and dispose of sewage sludge in accordance with 30 TAC § 312 and all other applicable state and federal regulations in a manner that protects public health and the environment from any reasonably anticipated adverse effects due to any toxic pollutants that may be present in the sludge.

2. In all cases, if the person (permit holder) who prepares the sewage sludge supplies the sewage sludge to another person for land application use or to the owner or lease holder of the land, the permit holder shall provide necessary information to the parties who receive the sludge to assure compliance with these regulations.

3. The permittee shall give 180 days prior notice to the Executive Director in care of the Wastewater Permitting Section (MC 148) of the Water Quality Division of any change planned in the sewage sludge disposal practice.

B. Testing Requirements

1. Sewage sludge shall be tested annually in accordance with the method specified in both 40 CFR Part 261, Appendix II and 40 CFR Part 268, Appendix I Toxicity Characteristic Leaching Procedure (TCLP) or other method that receives the prior approval of the TCEQ for the contaminants listed in 40 CFR Part 261.24, Table 1. Sewage sludge failing this test shall be managed according to RCRA standards for generators of hazardous waste, and the waste's disposition must be in accordance with all applicable requirements for hazardous waste processing, storage, or disposal. Following failure of any TCLP test, the management or disposal of sewage sludge at a facility other than an authorized hazardous waste processing, storage, or disposal facility shall be prohibited until such time as the permittee can demonstrate the sewage sludge no longer exhibits the hazardous waste toxicity characteristics (as demonstrated by the results of the TCLP tests). A written report shall be provided to both the TCEQ Registration and Reporting Section (MC 129) of the Permitting and Remediation Support Division and the Regional Director (MC Region 13) within seven (7) days after failing the TCLP Test.

The report shall contain test results, certification that unauthorized waste management has stopped and a summary of alternative disposal plans that comply with RCRA standards for the management of hazardous waste. The report shall be addressed to:
Director, Registration, Review, and Reporting Division (MC 129), Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087. In addition, the permittee shall prepare an annual report on the results of all sludge toxicity testing. This annual report shall be submitted to the TCEQ Regional Office (MC Region 13) and the Water Quality Compliance Monitoring Team (MC 224) of the Enforcement Division by September 30 of each year.

2. Sewage sludge shall not be applied to the land if the concentration of the pollutants exceeds the pollutant concentration criteria in Table 1. The frequency of testing for pollutants in Table 1 is found in Section I.C.

### Table 1

<table>
<thead>
<tr>
<th>Pollutant</th>
<th>Ceiling Concentration (Milligrams per kilogram)*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arsenic</td>
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<td>100</td>
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<tr>
<td>Zinc</td>
<td>7500</td>
</tr>
</tbody>
</table>

* Dry weight basis

3. Pathogen Control

All sewage sludge that is applied to agricultural land, forest, a public contact site, or a reclamation site shall be treated by one of the following methods to ensure that the sludge meets either the Class A or Class B pathogen requirements.

a. Six alternatives are available to demonstrate compliance with Class A sewage sludge. The first 4 options require either the density of fecal coliform in the sewage sludge be less than 1000 Most Probable Number (MPN) per gram of total solids (dry weight basis), or the density of *Salmonella* sp. bacteria in the sewage sludge be less than three MPN per four grams of total solids (dry weight basis) at the time the sewage sludge is used or disposed. Below are the additional requirements necessary to meet the definition of a Class A sludge.

**Alternative 1** - The temperature of the sewage sludge that is used or disposed shall be maintained at or above a specific value for a period of time. See 30 TAC § 312.82(a)(2)(A) for specific information.

**Alternative 2** - The pH of the sewage sludge that is used or disposed shall be raised to above 12 std. units and shall remain above 12 std. units for 72 hours.
The temperature of the sewage sludge shall be above 52° Celsius for 12 hours or longer during the period that the pH of the sewage sludge is above 12 std. units.

At the end of the 72-hour period during which the pH of the sewage sludge is above 12 std. units, the sewage sludge shall be air dried to achieve a percent solids in the sewage sludge greater than 50%.

Alternative 3 - The sewage sludge shall be analyzed for enteric viruses prior to pathogen treatment. The limit for enteric viruses is less than one Plaque-forming Unit per four grams of total solids (dry weight basis) either before or following pathogen treatment. See 30 TAC § 312.82(a)(2)(C)(i-iii) for specific information. The sewage sludge shall be analyzed for viable helminth ova prior to pathogen treatment. The limit for viable helminth ova is less than one per four grams of total solids (dry weight basis) either before or following pathogen treatment. See 30 TAC § 312.82(a)(2)(C)(iv-vi) for specific information.

Alternative 4 - The density of enteric viruses in the sewage sludge shall be less than one Plaque-forming Unit per four grams of total solids (dry weight basis) at the time the sewage sludge is used or disposed. The density of viable helminth ova in the sewage sludge shall be less than one per four grams of total solids (dry weight basis) at the time the sewage sludge is used or disposed.

Alternative 5 (PFRP) - Sewage sludge that is used or disposed of shall be treated in one of the processes to Further Reduce Pathogens (PFRP) described in 40 CFR Part 503, Appendix B. PFRP include composting, heat drying, heat treatment, and thermophilic aerobic digestion.

Alternative 6 (PFRP Equivalent) - Sewage sludge that is used or disposed of shall be treated in a process that has been approved by the U.S. Environmental Protection Agency as being equivalent to those in Alternative 5.

b. Three alternatives are available to demonstrate compliance with Class B criteria for sewage sludge.

   Alternative 1

i. A minimum of seven random samples of the sewage sludge shall be collected within 48 hours of the time the sewage sludge is used or disposed of during each monitoring episode for the sewage sludge.

ii. The geometric mean of the density of fecal coliform in the samples collected shall be less than either 2,000,000 MPN per gram of total solids (dry weight basis) or 2,000,000 Colony Forming Units per gram of total solids (dry weight basis).

Alternative 2 - Sewage sludge that is used or disposed of shall be treated in one of the Processes to Significantly Reduce Pathogens (PSRP) described in 40 CFR Part 503, Appendix B, so long as all of the following requirements are met by the generator of the sewage sludge.

i. Prior to use or disposal, all the sewage sludge must have been generated from a single location, except as provided in paragraph v. below;
ii. An independent Texas Licensed Professional Engineer must make a certification to the generator of a sewage sludge that the wastewater treatment facility generating the sewage sludge is designed to achieve one of the PSRP at the permitted design loading of the facility. The certification need only be repeated if the design loading of the facility is increased. The certification shall include a statement indicating the design meets all the applicable standards specified in Appendix B of 40 CFR Part 503;

iii. Prior to any off-site transportation or on-site use or disposal of any sewage sludge generated at a wastewater treatment facility, the chief certified operator of the wastewater treatment facility or other responsible official who manages the processes to significantly reduce pathogens at the wastewater treatment facility for the permittee, shall certify that the sewage sludge underwent at least the minimum operational requirements necessary in order to meet one of the PSRP. The acceptable processes and the minimum operational and record keeping requirements shall be in accordance with established U.S. Environmental Protection Agency final guidance;

iv. All certification records and operational records describing how the requirements of this paragraph were met shall be kept by the generator for a minimum of three years and be available for inspection by commission staff for review; and

v. If the sewage sludge is generated from a mixture of sources, resulting from a person who prepares sewage sludge from more than one wastewater treatment facility, the resulting derived product shall meet one of the PSRP, and shall meet the certification, operation, and record keeping requirements of this paragraph.

Alternative 3. - Sewage sludge shall be treated in an equivalent process that has been approved by the U.S. Environmental Protection Agency, so long as all of the following requirements are met by the generator of the sewage sludge.

i. Prior to use or disposal, all the sewage sludge must have been generated from a single location, except as provided in paragraph v. below;

ii. Prior to any off-site transportation or on-site use or disposal of any sewage sludge generated at a wastewater treatment facility, the chief certified operator of the wastewater treatment facility or other responsible official who manages the processes to significantly reduce pathogens at the wastewater treatment facility for the permittee, shall certify that the sewage sludge underwent at least the minimum operational requirements necessary in order to meet one of the PSRP. The acceptable processes and the minimum operational and record keeping requirements shall be in accordance with established U.S. Environmental Protection Agency final guidance;

iii. All certification records and operational records describing how the requirements of this paragraph were met shall be kept by the generator for a minimum of three years and be available for inspection by commission staff for review;

iv. The Executive Director will accept from the U.S. Environmental Protection Agency a finding of equivalency to the defined PSRP; and
v. If the sewage sludge is generated from a mixture of sources resulting from a person who prepares sewage sludge from more than one wastewater treatment facility, the resulting derived product shall meet one of the Processes to Significantly Reduce Pathogens, and shall meet the certification, operation, and record keeping requirements of this paragraph.

In addition, the following site restrictions must be met if Class B sludge is land applied:

i. Food crops with harvested parts that touch the sewage sludge/soil mixture and are totally above the land surface shall not be harvested for 14 months after application of sewage sludge.

ii. Food crops with harvested parts below the surface of the land shall not be harvested for 20 months after application of sewage sludge when the sewage sludge remains on the land surface for 4 months or longer prior to incorporation into the soil.

iii. Food crops with harvested parts below the surface of the land shall not be harvested for 38 months after application of sewage sludge when the sewage sludge remains on the land surface for less than 4 months prior to incorporation into the soil.

iv. Food crops, feed crops, and fiber crops shall not be harvested for 30 days after application of sewage sludge.

v. Animals shall not be allowed to graze on the land for 30 days after application of sewage sludge.

vi. Turf grown on land where sewage sludge is applied shall not be harvested for 1 year after application of the sewage sludge when the harvested turf is placed on either land with a high potential for public exposure or a lawn.

vii. Public access to land with a high potential for public exposure shall be restricted for 1 year after application of sewage sludge.

viii. Public access to land with a low potential for public exposure shall be restricted for 30 days after application of sewage sludge.

ix. Land application of sludge shall be in accordance with the buffer zone requirements found in 30 TAC § 312.44.

4. Vector Attraction Reduction Requirements

All bulk sewage sludge that is applied to agricultural land, forest, a public contact site, or a reclamation site shall be treated by one of the following Alternatives 1 through 10 for vector attraction reduction.

**Alternative 1** - The mass of volatile solids in the sewage sludge shall be reduced by a minimum of 38%.
Alternative 2 - If Alternative 1 cannot be met for an anaerobically digested sludge, demonstration can be made by digesting a portion of the previously digested sludge anaerobically in the laboratory in a bench-scale unit for 40 additional days at a temperature between 30° and 37° Celsius. Volatile solids must be reduced by less than 17% to demonstrate compliance.

Alternative 3 - If Alternative 1 cannot be met for an aerobically digested sludge, demonstration can be made by digesting a portion of the previously digested sludge with percent solids of two percent or less aerobically in the laboratory in a bench-scale unit for 30 additional days at 20° Celsius. Volatile solids must be reduced by less than 15% to demonstrate compliance.

Alternative 4 - The specific oxygen uptake rate (SOUR) for sewage sludge treated in an aerobic process shall be equal to or less than 1.5 milligrams of oxygen per hour per gram of total solids (dry weight basis) at a temperature of 20° Celsius.

Alternative 5 - Sewage sludge shall be treated in an aerobic process for 14 days or longer. During that time, the temperature of the sewage sludge shall be higher than 40° Celsius and the average temperature of the sewage sludge shall be higher than 45° Celsius.

Alternative 6 - The pH of sewage sludge shall be raised to 12 or higher by alkali addition and, without the addition of more alkali shall remain at 12 or higher for two hours and then remain at a pH of 11.5 or higher for an additional 22 hours at the time the sewage sludge is prepared for sale or given away in a bag or other container.

Alternative 7 - The percent solids of sewage sludge that does not contain unstabilized solids generated in a primary wastewater treatment process shall be equal to or greater than 75% based on the moisture content and total solids prior to mixing with other materials. Unstabilized solids are defined as organic materials in sewage sludge that have not been treated in either an aerobic or anaerobic treatment process.

Alternative 8 - The percent solids of sewage sludge that contains unstabilized solids generated in a primary wastewater treatment process shall be equal to or greater than 90% based on the moisture content and total solids prior to mixing with other materials at the time the sludge is used. Unstabilized solids are defined as organic materials in sewage sludge that have not been treated in either an aerobic or anaerobic treatment process.

Alternative 9 - i. Sewage sludge shall be injected below the surface of the land.

ii. No significant amount of the sewage sludge shall be present on the land surface within one hour after the sewage sludge is injected.

iii. When sewage sludge that is injected below the surface of the land
is Class A with respect to pathogens, the sewage sludge shall be injected below the land surface within eight hours after being discharged from the pathogen treatment process.

Alternative 10-

i. Sewage sludge applied to the land surface or placed on a surface disposal site shall be incorporated into the soil within six hours after application to or placement on the land.

ii. When sewage sludge that is incorporated into the soil is Class A with respect to pathogens, the sewage sludge shall be applied to or placed on the land within eight hours after being discharged from the pathogen treatment process.

C. Monitoring Requirements

Toxicity Characteristic Leaching Procedure (TCLP) Test
PCBs
- annually

- annually

All metal constituents and fecal coliform or *Salmonella* sp. bacteria shall be monitored at the appropriate frequency shown below, pursuant to 30 TAC § 312.46(a)(1):

<table>
<thead>
<tr>
<th>Amount of sewage sludge (*) metric tons per 365-day period</th>
<th>Monitoring Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to less than 290</td>
<td>Once/Year</td>
</tr>
<tr>
<td>290 to less than 1,500</td>
<td>Once/Quarter</td>
</tr>
<tr>
<td>1,500 to less than 15,000</td>
<td>Once/Two Months</td>
</tr>
<tr>
<td>15,000 or greater</td>
<td>Once/Month</td>
</tr>
</tbody>
</table>

(*) The amount of bulk sewage sludge applied to the land (dry weight basis).

Representative samples of sewage sludge shall be collected and analyzed in accordance with the methods referenced in 30 TAC § 312.7
SECTION II. REQUIREMENTS SPECIFIC TO BULK SEWAGE SLUDGE FOR APPLICATION TO THE LAND MEETING CLASS A OR B PATHOGEN REDUCTION AND THE CUMULATIVE LOADING RATES IN TABLE 2, OR CLASS B PATHOGEN REDUCTION AND THE POLLUTANT CONCENTRATIONS IN TABLE 3

For those permittees meeting Class A or B pathogen reduction requirements and that meet the cumulative loading rates in Table 2 below, or the Class B pathogen reduction requirements and contain concentrations of pollutants below listed in Table 3, the following conditions apply:

A. Pollutant Limits

<table>
<thead>
<tr>
<th>Pollutant</th>
<th>Cumulative Pollutant Loading Rate (pounds per acre)*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arsenic</td>
<td>36</td>
</tr>
<tr>
<td>Cadmium</td>
<td>35</td>
</tr>
<tr>
<td>Chromium</td>
<td>2077</td>
</tr>
<tr>
<td>Copper</td>
<td>1339</td>
</tr>
<tr>
<td>Lead</td>
<td>268</td>
</tr>
<tr>
<td>Mercury</td>
<td>15</td>
</tr>
<tr>
<td>Molybdenum</td>
<td>Report Only</td>
</tr>
<tr>
<td>Nickel</td>
<td>375</td>
</tr>
<tr>
<td>Selenium</td>
<td>89</td>
</tr>
<tr>
<td>Zinc</td>
<td>2500</td>
</tr>
</tbody>
</table>

Table 3

<table>
<thead>
<tr>
<th>Pollutant</th>
<th>Monthly Average Concentration (milligrams per kilogram)*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arsenic</td>
<td>41</td>
</tr>
<tr>
<td>Cadmium</td>
<td>39</td>
</tr>
<tr>
<td>Chromium</td>
<td>1200</td>
</tr>
<tr>
<td>Copper</td>
<td>1500</td>
</tr>
<tr>
<td>Lead</td>
<td>300</td>
</tr>
<tr>
<td>Mercury</td>
<td>17</td>
</tr>
<tr>
<td>Molybdenum</td>
<td>Report Only</td>
</tr>
<tr>
<td>Nickel</td>
<td>420</td>
</tr>
<tr>
<td>Selenium</td>
<td>36</td>
</tr>
<tr>
<td>Zinc</td>
<td>2800</td>
</tr>
</tbody>
</table>

*Dry weight basis

B. Pathogen Control

All bulk sewage sludge that is applied to agricultural land, forest, a public contact site, a reclamation site, shall be treated by either Class A or Class B pathogen reduction requirements as defined above in Section I.B.3.
C. Management Practices

1. Bulk sewage sludge shall not be applied to agricultural land, forest, a public contact site, or a reclamation site that is flooded, frozen, or snow-covered so that the bulk sewage sludge enters a wetland or other waters in the State.

2. Bulk sewage sludge not meeting Class A requirements shall be land applied in a manner which complies with the Management Requirements in accordance with 30 TAC § 312.44.

3. Bulk sewage sludge shall be applied at or below the agronomic rate of the cover crop.

4. An information sheet shall be provided to the person who receives bulk sewage sludge sold or given away. The information sheet shall contain the following information:
   a. The name and address of the person who prepared the sewage sludge that is sold or given away in a bag or other container for application to the land.
   b. A statement that application of the sewage sludge to the land is prohibited except in accordance with the instruction on the label or information sheet.
   c. The annual whole sludge application rate for the sewage sludge application rate for the sewage sludge that does not cause any of the cumulative pollutant loading rates in Table 2 above to be exceeded, unless the pollutant concentrations in Table 3 found in Section II above are met.

D. Notification Requirements

1. If bulk sewage sludge is applied to land in a State other than Texas, written notice shall be provided prior to the initial land application to the permitting authority for the State in which the bulk sewage sludge is proposed to be applied. The notice shall include:
   a. The location, by street address, and specific latitude and longitude, of each land application site.
   b. The approximate time period bulk sewage sludge will be applied to the site.
   c. The name, address, telephone number, and National Pollutant Discharge Elimination System permit number (if appropriate) for the person who will apply the bulk sewage sludge.

2. The permittee shall give 180 days prior notice to the Executive Director in care of the Wastewater Permitting Section (MC 148) of the Water Quality Division of any change planned in the sewage sludge disposal practice.

E. Record keeping Requirements

The sludge documents will be retained at the facility site and/or shall be readily available for review by a TCEQ representative. The person who prepares bulk sewage sludge or a sewage sludge material shall develop the following information and shall retain the information at the facility site and/or shall be readily available for review by a TCEQ representative for a
period of five years. If the permittee supplies the sludge to another person who land applies the sludge, the permittee shall notify the land applier of the requirements for record keeping found in 30 TAC § 312.47 for persons who land apply.

1. The concentration (mg/kg) in the sludge of each pollutant listed in Table 3 above and the applicable pollutant concentration criteria (mg/kg), or the applicable cumulative pollutant loading rate and the applicable cumulative pollutant loading rate limit (lbs/ac) listed in Table 2 above.

2. A description of how the pathogen reduction requirements are met (including site restrictions for Class B sludge, if applicable).

3. A description of how the vector attraction reduction requirements are met.

4. A description of how the management practices listed above in Section II.C are being met.

5. The following certification statement:

   “I certify, under penalty of law, that the applicable pathogen requirements in 30 TAC § 312.82(a) or (b) and the vector attraction reduction requirements in 30 TAC § 312.83(b) have been met for each site on which bulk sewage sludge is applied. This determination has been made under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate the information used to determine that the management practices have been met. I am aware that there are significant penalties for false certification including fine and imprisonment.”

6. The recommended agronomic loading rate from the references listed in Section II.C.3. above, as well as the actual agronomic loading rate shall be retained. The person who applies bulk sewage sludge or a sewage sludge material shall develop the following information and shall retain the information at the facility site and/or shall be readily available for review by a TCEQ representative indefinitely. If the permittee supplies the sludge to another person who land applies the sludge, the permittee shall notify the land applier of the requirements for record keeping found in 30 TAC § 312.47 for persons who land apply:

   a. A certification statement that all applicable requirements (specifically listed) have been met, and that the permittee understands that there are significant penalties for false certification including fine and imprisonment. See 30 TAC § 312.47(a)(4)(A)(ii) or 30 TAC § 312.47(a)(5)(A)(ii), as applicable, and to the permittee’s specific sludge treatment activities.

   b. The location, by street address, and specific latitude and longitude, of each site on which sludge is applied.

   c. The number of acres in each site on which bulk sludge is applied.

   d. The date and time sludge is applied to each site.

   e. The cumulative amount of each pollutant in pounds/acre listed in Table 2 applied to each site.

   f. The total amount of sludge applied to each site in dry tons.
The above records shall be maintained on-site on a monthly basis and shall be made available to the Texas Commission on Environmental Quality upon request.

F. Reporting Requirements

The permittee shall report annually to the TCEQ Regional Office (MC Region 13) and Water Quality Compliance Monitoring Team (MC 224) of the Enforcement Division, by September 30 of each year the following information:

1. Results of tests performed for pollutants found in either Table 2 or 3 as appropriate for the permittee's land application practices.

2. The frequency of monitoring listed in Section I.C. that applies to the permittee.

3. Toxicity Characteristic Leaching Procedure (TCLP) results.

4. Identity of hauler(s) and TCEQ transporter number.

5. PCB concentration in sludge in mg/kg.

6. Date(s) of disposal.

7. Owner of disposal site(s).

8. Texas Commission on Environmental Quality registration number, if applicable.

9. Amount of sludge disposal dry weight (lbs/acre) at each disposal site.

10. The concentration (mg/kg) in the sludge of each pollutant listed in Table 1 (defined as a monthly average) as well as the applicable pollutant concentration criteria (mg/kg) listed in Table 3 above, or the applicable pollutant loading rate limit (lbs/acre) listed in Table 2 above if it exceeds 90% of the limit.

11. Level of pathogen reduction achieved (Class A or Class B).

12. Alternative used as listed in Section I.B.3.(a. or b.). Alternatives describe how the pathogen reduction requirements are met. If Class B sludge, include information on how site restrictions were met.

13. Vector attraction reduction alternative used as listed in Section I.B.4.


15. Amount of sludge land applied in dry tons/year.

16. The certification statement listed in either 30 TAC § 312.47(a)(4)(A)(ii) or 30 TAC § 312.47(a)(5)(A)(ii) as applicable to the permittee's sludge treatment activities, shall be attached to the annual reporting form.

17. When the amount of any pollutant applied to the land exceeds 90% of the cumulative pollutant loading rate for that pollutant, as described in Table 2, the permittee shall report the following information as an attachment to the annual reporting form.
a. The location, by street address, and specific latitude and longitude.

b. The number of acres in each site on which bulk sewage sludge is applied.

c. The date and time bulk sewage sludge is applied to each site.

d. The cumulative amount of each pollutant (i.e., pounds/acre) listed in Table 2 in the bulk sewage sludge applied to each site.

e. The amount of sewage sludge (i.e., dry tons) applied to each site.

The above records shall be maintained on a monthly basis and shall be made available to the Texas Commission on Environmental Quality upon request.
SECTION III. REQUIREMENTS APPLYING TO ALL SEWAGE SLUDGE DISPOSED IN A MUNICIPAL SOLID WASTE LANDFILL

A. The permittee shall handle and dispose of sewage sludge in accordance with 30 TAC § 330 and all other applicable state and federal regulations to protect public health and the environment from any reasonably anticipated adverse effects due to any toxic pollutants that may be present. The permittee shall ensure that the sewage sludge meets the requirements in 30 TAC § 330 concerning the quality of the sludge disposed in a municipal solid waste landfill.

B. If the permittee generates sewage sludge and supplies that sewage sludge to the owner or operator of a municipal solid waste landfill (MSWLF) for disposal, the permittee shall provide to the owner or operator of the MSWLF appropriate information needed to be in compliance with the provisions of this permit.

C. The permittee shall give 180 days prior notice to the Executive Director in care of the Wastewater Permitting Section (MC 148) of the Water Quality Division of any change planned in the sewage sludge disposal practice.

D. Sewage sludge shall be tested annually in accordance with the method specified in both 40 CFR Part 261, Appendix II and 40 CFR Part 268, Appendix I (Toxicity Characteristic Leaching Procedure) or other method, which receives the prior approval of the TCEQ for contaminants listed in Table 1 of 40 CFR § 261.24. Sewage sludge failing this test shall be managed according to RCRA standards for generators of hazardous waste, and the waste's disposition must be in accordance with all applicable requirements for hazardous waste processing, storage, or disposal.

Following failure of any TCLP test, the management or disposal of sewage sludge at a facility other than an authorized hazardous waste processing, storage, or disposal facility shall be prohibited until such time as the permittee can demonstrate the sewage sludge no longer exhibits the hazardous waste toxicity characteristics (as demonstrated by the results of the TCLP tests). A written report shall be provided to both the TCEQ Registration and Reporting Section (MC 129) of the Permitting and Remediation Support Division and the Regional Director (MC Region 13) of the appropriate TCEQ field office within 7 days after failing the TCLP Test.

The report shall contain test results, certification that unauthorized waste management has stopped and a summary of alternative disposal plans that comply with RCRA standards for the management of hazardous waste. The report shall be addressed to: Director, Registration, Review, and Reporting Division (MC 129), Texas Commission on Environmental Quality, P. O. Box 13087, Austin, Texas 78711-3087. In addition, the permittee shall prepare an annual report on the results of all sludge toxicity testing. This annual report shall be submitted to the TCEQ Regional Office (MC Region 13) and the Water Quality Compliance Monitoring Team (MC 224) of the Enforcement Division by September 30 of each year.

E. Sewage sludge shall be tested as needed, in accordance with the requirements of 30 TAC Chapter 330.

F. Record keeping Requirements

The permittee shall develop the following information and shall retain the information for five years.
1. The description (including procedures followed and the results) of all liquid Paint Filter Tests performed.

2. The description (including procedures followed and results) of all TCLP tests performed.

The above records shall be maintained on-site on a monthly basis and shall be made available to the Texas Commission on Environmental Quality upon request.

G. Reporting Requirements

The permittee shall report annually to the TCEQ Regional Office (MC Region 13) and Water Quality Compliance Monitoring Team (MC 224) of the Enforcement Division by September 30 of each year the following information:

1. Toxicity Characteristic Leaching Procedure (TCLP) results.

2. Annual sludge production in dry tons/year.

3. Amount of sludge disposed in a municipal solid waste landfill in dry tons/year.

4. Amount of sludge transported interstate in dry tons/year.

5. A certification that the sewage sludge meets the requirements of 30 TAC § 330 concerning the quality of the sludge disposed in a municipal solid waste landfill.

6. Identity of hauler(s) and transporter registration number.

7. Owner of disposal site(s).

8. Location of disposal site(s).

9. Date(s) of disposal.

The above records shall be maintained on-site on a monthly basis and shall be made available to the Texas Commission on Environmental Quality upon request.
OTHER REQUIREMENTS

1. The permittee shall employ or contract with one or more licensed wastewater treatment facility operators or wastewater system operations companies holding a valid license or registration according to the requirements of 30 TAC Chapter 30, Occupational Licenses and Registrations and in particular 30 TAC Chapter 30, Subchapter J, Wastewater Operators and Operations Companies.

This Category B facility must be operated by a chief operator or an operator holding a Category B license or higher. The facility must be operated a minimum of five days per week by the licensed chief operator or an operator holding the required level of license or higher. The licensed chief operator or operator holding the required level of license or higher must be available by telephone or pager seven days per week. Where shift operation of the wastewater treatment facility is necessary, each shift that does not have the on-site supervision of the licensed chief operator must be supervised by an operator in charge who is licensed not less than one level below the category for the facility.

2. The facility is not located in the Coastal Management Program boundary.

3. There is no mixing zone established for this discharge to an intermittent stream. Acute toxic criteria apply at the point of discharge.

4. The permittee is hereby placed on notice that this permit may be reviewed by the TCEQ after the completion of any new intensive water quality survey on Segment No. 1902 of the San Antonio River Basin and any subsequent updating of the water quality model for Segment No. 1902, in order to determine if the limitations and conditions contained herein are consistent with any such revised model. The permit may be amended, pursuant to 30 TAC §305.62, as a result of such review. The permittee is also hereby placed on notice that effluent limits may be made more stringent at renewal based on, for example, any change to modeling protocol approved in the TCEQ Continuing Planning Process.

5. Prior to construction of the 7.33 MGD final phase, the permittee shall submit sufficient evidence of legal restrictions prohibiting residential structures within the part of the buffer zone not owned by the permittee according to 30 TAC § 309.13(e)(3). The evidence of legal restrictions shall be submitted to the Executive Director in care of the TCEQ Wastewater Permitting Section (MC 148). The permittee shall comply with the requirements of 30 TAC § 309.13(a) through (d). (See Attachment A.)

6. The permittee shall provide facilities for the protection of its wastewater treatment facilities from a 100-year flood.

7. Prior to construction of the 7.33 MGD treatment facilities, the permittee shall submit to the TCEQ Wastewater Permitting Section (MC 148) a summary submittal letter in accordance with the requirements in 30 TAC Section 217.6(c). If requested by the Wastewater Permitting Section, the permittee shall submit plans, specifications and a final engineering design report which comply with 30 TAC Chapter 217, Design Criteria for Wastewater Treatment Systems. The permittee shall clearly show how the treatment system will meet the final permitted effluent limitations required on Page 2a of the permit.

8. The permittee shall notify the TCEQ Regional Office (MC Region 13) and the Applications Review and Processing Team (MC 148) of the Water Quality Division in writing at least
forty-five (45) days prior to the completion of the 7.33 MGD phase on Notification of Completion Form 2000.

9. In accordance with 30 TAC §319.9, a permittee that has at least twelve months of uninterrupted compliance with its bacteria limit may notify the commission in writing of its compliance and request a less frequent measurement schedule. To request a less frequent schedule, the permittee shall submit a written request to the TCEQ Wastewater Permitting Section (MC 148) for each phase that includes a different monitoring frequency. The request must contain all of the reported bacteria values (Daily Avg. and Daily Max/Single Grab) for the twelve consecutive months immediately prior to the request. If the Executive Director finds that a less frequent measurement schedule is protective of human health and the environment, the permittee may be given a less frequent measurement schedule. For this permit, daily may be reduced to 5/week in the Interim phase and daily may be reduced to 5/week in the Final phase. A violation of any bacteria limit by a facility that has been granted a less frequent measurement schedule will require the permittee to return to the standard frequency schedule and submit written notice to the TCEQ Wastewater Permitting Section (MC 148). The permittee may not apply for another reduction in measurement frequency for at least 24 months from the date of the last violation. The Executive Director may establish a more frequent measurement schedule if necessary to protect human health or the environment.

10. In addition, the permittee is also authorized to haul sludge from the wastewater treatment facility, by a licensed hauler, to the San Antonio River Authority Martinez II Wastewater Treatment Facility, TPDES Permit No. WQ0010749004, or any other facility authorized by the TCEQ to accept sludge for final processing and disposal.

The permittee shall keep records of all sludge removed from the wastewater treatment plant site and these records shall include the following information:

a. The volume of sludge hauled;
b. The date(s) that sludge was hauled;
c. The identity of haulers; and
d. The permittee, TCEQ permit number, and location of the wastewater treatment plant to which the sludge is hauled.

These records shall be maintained on a monthly basis and shall be reported to the TCEQ Regional Office (MC Region 13) and the TCEQ Water Quality Compliance Monitoring Team (MC 224) of the Enforcement Division by September 30 of each year.
CONTRIBUTING INDUSTRIES AND PRETREATMENT REQUIREMENTS

1. The following pollutants may not be introduced into the treatment facility:
   
a. Pollutants which create a fire or explosion hazard in the publicly owned treatment works (POTW), including, but not limited to, wastestreams with a closed cup flashpoint of less than 140 degrees Fahrenheit (60 degrees Celsius) using the test methods specified in 40 CFR §261.21;

b. Pollutants which will cause corrosive structural damage to the POTW, but in no case shall there be discharges with pH lower than 5.0 standard units, unless the works are specifically designed to accommodate such discharges;

c. Solid or viscous pollutants in amounts which will cause obstruction to the flow in the POTW, resulting in interference;

d. Any pollutant, including oxygen demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the POTW;

e. Heat in amounts which will inhibit biological activity in the POTW resulting in interference, but in no case shall there be heat in such quantities that the temperature at the POTW treatment plant exceeds 104 degrees Fahrenheit (40 degrees Celsius) unless the Executive Director, upon request of the POTW, approves the alternate temperature limit;

f. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through;

g. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems; and

h. Any trucked or hauled pollutants, except at discharge points designated by the POTW.

2. The permittee shall comply with the pretreatment requirements in 40 CFR Part 403, as amended, and as specified in the following schedule of compliance. The permittee submitted to the TCEQ on June 16, 2010, an industrial user survey as required by the previous TPDES permit issued on April 27, 2010. The permittee is required to submit an updated inventory of industrial users by conducting a formal industrial user survey of its entire service area (to include all wastewater treatment plants) as specified in Activity No. 1. The Executive Director will review the survey to determine if a full pretreatment program must be developed to ensure the quality of the sewage sludge and prevent interference and pass through. If the permittee is required to develop a pretreatment program, the final complete submission is due two (2) months from the date the permittee receives notification from the TCEQ Stormwater & Pretreatment Team (MCl48) of the Water Quality Division indicating completion of the permittee’s Activity Nos. 1-6. (See Activity No. 7). The Executive Director is currently reviewing Activity 1 that

a. If the permittee does not complete any of the activities according to the following schedule, the permittee shall submit a letter signed by the permittee [according to 40 CFR §122.41(k)] to the TCEQ Stormwater & Pretreatment Team (MC148) of the Water Quality Division within 14 days of the activity due date, including, at a minimum, the date on which the required activity will be submitted, the reason for the delay, and the steps taken to return to the established schedule. The permittee may request one 60-day extension of the due date for Activity Nos. 1 and 7. These requests for extensions shall be
made in writing to the Executive Director, care of the Stormwater & Pretreatment Team (MC 148), no later than 14 days prior to the due date. The Executive Director may grant an extension of the deadlines of Activity Nos. 1 and 7 submitted pursuant to these permit requirements, upon a written and substantiated showing of good cause. The determination of what constitutes good cause rests solely with the Executive Director. Extensions are not effective until the permittee receives written approval from the Executive Director.

b. If after review of the submission, the Executive Director determines that the submission does not comply with the applicable requirements of 40 CFR §§403.8 and 403.9, the Executive Director will notify the permittee in writing. The notification will identify any defects in the submission and advise the permittee of the means by which the permittee can comply with the applicable requirements of 40 CFR §§403.8 and 403.9. In such a case, revised information will be necessary for the Executive Director to make a determination on whether to approve or deny the permittee’s submission.

c. A new pretreatment program will proceed through the approval process in accordance with 40 CFR §§403.9 and 403.11 [rev. Federal Register/ Vol. 70/ No. 198/ Friday, October 14, 2005/ Rules and Regulations, pages 60134-60798]. The submission will become effective upon approval by the Executive Director in accordance with 40 CFR §403.11. Upon approval of a pretreatment program by the Executive Director, this permit will be modified or amended to incorporate that pretreatment program.

d. The permittee may develop and submit a complete pretreatment program at any time before the deadline established in Activity No. 7.

e. The permittee may apply for authority to revise categorical pretreatment standards to reflect POTW removal of pollutants in accordance with the requirements of 40 CFR §403.7 [rev. 10/14/05] at any time.

f. The permittee shall require any indirect discharger to the treatment works to comply with the reporting requirements of Sections 204(b), 307, and 308 of the Clean Water Act, including any requirements established under 40 CFR Part 403.

g. The permittee shall provide adequate written notification to the Executive Director, care of the Stormwater & Pretreatment Team (MC 148) of the Water Quality Division, within 30 days subsequent to the permittee’s knowledge of the following:

(1) Any new introduction of pollutants into the treatment works from an indirect discharger which would be subject to Sections 301 and 306 of the Clean Water Act if it were directly discharging those pollutants; and

(2) Any substantial change in the volume or character of pollutants being introduced into the treatment works.

Adequate notice shall include information on the quality and quantity of effluent to be introduced into the treatment works, and any anticipated impact of such change in the quality or quantity of effluent to be discharged from the POTW.

Revised November 2007
SCHEDULE OF COMPLIANCE FOR PRETREATMENT PROGRAM DEVELOPMENT

<table>
<thead>
<tr>
<th>ACTIVITY NUMBER</th>
<th>ACTIVITY</th>
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<td>Submissions required by the Activity Nos. 2-6 listed below shall be made to the TCEQ Stormwater &amp; Pretreatment Team (MC 148) of the Water Quality Division. Initially, Activity Nos. 3, 4, 5, and 6 should be submitted in draft form.</td>
<td>2 months from the issued date of the permit</td>
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</table>

1. Submit an updated industrial user (IU) survey which consists of a qualitative analysis of pollutants being contributed by IUs in its entire municipal system (including all wastewater treatment plants). In accordance with 40 Code of Federal Regulations (CFR) §§403.8(f)(2)(i)-(ii) and 403.12(i)(1), the IUs should be asked to provide, the names, addresses, contact person, and information on the type and approximate quantity of pollutants discharged into the system. For guidance on the procedures see the U.S. Environmental Protection Agency’s Guidance Manual for POTW Pretreatment Program Development, October 1983, Chapter 2 and Appendix H. This information may be derived from knowledge of the facility’s process and should not require any sampling at the source.

The IU survey must identify significant industrial users (SIUs), including those categorical industrial users (CIUs) subject to categorical pretreatment standards under 40 CFR Chapter I, Subchapter N, and specifying the citations, categories, and subcategories from the 40 CFR which are applicable to such CIUs. The permittee should submit the information in tabular form, using the example table format provided.

The TCEQ Stormwater & Pretreatment Team will notify the permittee regarding the results of the IU survey, and whether the permittee will be required to continue the program development beyond Activity No. 1. If pretreatment program development is necessary, the permittee will be required to continue the program development upon receiving notification from the TCEQ.

If notified that a TPDES pretreatment program is not necessary, the permittee will submit an update of its IU survey with Worksheet 6.0 of the Domestic Technical Report, as part of the TCEQ Domestic Wastewater Permit Application, when next reapplying for this TPDES permit. The IU survey must include documented changes in industrial flow and/or characteristics of existing industries and any new contributing industries.
### SCHEDULE OF COMPLIANCE FOR PRETREATMENT PROGRAM DEVELOPMENT

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<th>ACTIVITY NUMBER</th>
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<tr>
<td>2.</td>
<td>Submit a sampling plan describing the monitoring to take place at the influent and effluent (and other points, as applicable) of each wastewater treatment plant to be covered under the TPDES pretreatment program, domestic/commercial background, and sewage sludge for the technically based local limits (TBLLs) development. Submit the analytical results and related quality assurance/quality control (QA/QC) information of an influent pollutant scan of a 24-hour composite sample to determine all pollutants being contributed to the system. The type of scan to be performed is the initial priority pollutant scan of the 126 pollutants from 40 CFR Part 122, Appendix D, Tables II and III plus any other additional pollutants designated in the TCEQ Texas Surface Water Quality Standards, 30 TAC Chapter 307. Submit information derived from Items (a) and (b) in this section below. All sampling, analyses, and method detection limits must be performed in accordance with 40 CFR Part 136, as amended; as approved by the EPA through the application for alternate test procedures; or as suggested in Tables E-1 and E-2 of the Procedures to Implement the Texas Surface Water Quality Standards (June 2010), as amended and adopted by the TCEQ. This initial pollutant scan will be used by the permittee for developing the TBLLs as specified in Activity No. 5. (a) Using the qualitative information supplied by the IUs in Activity No. 1, and the quantitative information collected in the initial pollutant scan, the permittee shall determine which IUs may be discharging pollutants of concern which may affect the operation of the POTW(s) or pass through untreated. (b) Sampling and analyses shall be completed to quantify the pollutants of concern discharged by the IUs identified in the investigation of (a) above.</td>
<td>3 months from the effective date of notification to continue pretreatment program development</td>
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SCHEDULE OF COMPLIANCE FOR PRETREATMENT PROGRAM DEVELOPMENT

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<tr>
<th>ACTIVITY NUMBER</th>
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<td>3.</td>
<td>Submit a design of a sampling, inspection, permitting, reporting, and data management program which will implement the requirements of 40 CFR §§403.8 and 403.12, including all proposed forms.</td>
<td>5 months from the effective date of notification to continue pretreatment program development</td>
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<td>The permittee is required to design the program in order to inspect and sample the effluent from each SIU at least once per year, except as specified in 40 CFR §403.8(f)(2)(v).</td>
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<td>The permittee shall design the program in order to control through permit, order, or similar means, the contribution to the POTW by each IU to ensure compliance with applicable pretreatment standards and requirements. In the case of SIUs (identified as significant under 40 CFR §403.3(v)), this control shall be achieved through individual or general control mechanisms, in accordance with 40 CFR §403.8(f)(1)(iii).</td>
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<td>4.</td>
<td>Submit a description of the financial programs, revenue sources, equipment, staffing, and organizational chart of those positions which will be employed to implement the pretreatment program (as required by 40 CFR §§403.8(f)(3) and 403.9(b)(3) and (b)(4)).</td>
<td>6 months from the effective date of notification to continue pretreatment program development</td>
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<td>5.</td>
<td>Submit a complete TBLLs submission as required by 40 CFR §§403.5(c) and 403.8(f)(4). The technical development of the TBLLs should be developed in accordance with the EPA’s Local Limits Development Guidance, July 2004, and EPA Region 6’s Technically Based Local Limits Development Guidance, October 12, 1993. Include the results of a current Texas Toxicity Modeling Program (TexTox) report for each wastewater treatment plant. This report must be run subsequent to the effective date of the TCEQ notification to continue TPDES pretreatment program development.</td>
<td>9 months from the effective date of notification to continue pretreatment program development</td>
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<td>The technical development must demonstrate that the TBLLs attain the Texas Surface Water Quality Standards [30 TAC Chapter 307] in water in the state and are adequate to prevent pass through of pollutants, inhibition of or interference with the treatment facility, worker health and safety problems, and sludge contamination. This submission must include the TBLLs certification statement signed by the permittee [according to 40 CFR §122.41(k)].</td>
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## SCHEDULE OF COMPLIANCE FOR PRETREATMENT PROGRAM DEVELOPMENT

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<td>6.</td>
<td>The POTW is required to apply and enforce the pretreatment standards and requirements established by §§307(b) and (c), and 402(b)(8) and (9) of the Clean Water Act and any regulations implementing those sections, including 40 CFR §403.9(b). Submit the following:</td>
<td>10 months from the effective date of notification to continue pretreatment program development</td>
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<td>(a) a statement from the City Solicitor, a city official acting in a comparable capacity, or the city's independent counsel, that the POTW has the adequate authority to carry out the program;</td>
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<td>(b) a copy of any statute, ordinance, regulation, contract, agreement, or other authority that will be relied on by the POTW to administer the program;</td>
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<td>(c) a statement reflecting the endorsement of or approval by the local boards or bodies responsible for supervising and/or funding the program;</td>
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<td>(d) additional documents and agreements required in multi-jurisdictional situations for administration of the program; and</td>
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<td>(e) an enforcement response plan (ERP) that shall contain detailed procedures indicating how the POTW will investigate and respond to instances of IU noncompliance. The ERP, enforcement response guide (ERG), and other documents and forms shall, at a minimum, contain the aspects defined in 40 CFR §403.8(f)(5).</td>
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<td>7.</td>
<td>Upon notification by the TCEQ Stormwater &amp; Pretreatment Team of a completeness determination of the submitted program in accordance with 40 CFR §403.9, the permittee is required to submit an official request to the Executive Director care of the Storm Water &amp; Pretreatment Team (MC148) of the Water Quality Division for program approval, including four (4) copies (three (3) bound and one (1) unbound) of the program deemed by the Executive Director to be complete.</td>
<td>The Executive Director will notify the permittee of the due date of Activity No. 7 with the notification of completion of the permittee's Activity Nos. 1 - 6.</td>
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<td>Submit a complete pretreatment program as required by 40 CFR §403.9. The complete pretreatment program shall include the final compilation of all previously submitted pretreatment program activities as amended and supplemented (e.g. Activity Nos. 1 - 6).</td>
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TABLE A: INDUSTRIAL USER SURVEY RESULTS SUMMARY TABLE

<table>
<thead>
<tr>
<th>Company Name</th>
<th>SIC Code</th>
<th>Description of Business Activities/Manufacturing Processes</th>
<th>Business Address</th>
<th>Water Usage/Wastewater Flow (GPD)</th>
<th>Specify the type of wastewater discharged to the publicly owned treatment works (POTW) specify with a check mark</th>
<th>Response Received (Y or N)</th>
<th>Classification SIU / CIU</th>
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(1) Provide the Standard Industrial Classification (SIC) Codes for the company. If the company has multiple SIC codes, please provide them all.
(2) Provide a brief description of the company's business and/or manufacturing process.
(3) Provide water usage data or process wastewater flow data in gallons per day (gpd). When measured data is not available, provide an estimate.
(4) Specify whether or not the company responded to the industrial user survey conducted by the POTW. If the company did not respond, please explain what follow-up action occurred.
(5) Specify whether the company is a significant industrial user (SIU – 40 CFR §403.3) or a categorical industrial user (CIU – 40 CFR Parts 405 to 471). If the company is a CIU, then include the exact categorical citation, for example 40 CFR §433.15 for Metal Finishing Point Source category pretreatment standards for existing sources.
CHRONIC BIOMONITORING REQUIREMENTS: FRESHWATER

The provisions of this Section apply to Outfall 001 for whole effluent toxicity (WET) testing.

1. **Scope, Frequency and Methodology**
   
   a. The permittee shall test the effluent for toxicity in accordance with the provisions below. Such testing will determine if an appropriately dilute effluent sample adversely affects the survival, reproduction, or growth of the test organisms.
   
   b. The permittee shall conduct the following toxicity tests utilizing the test organisms, procedures and quality assurance requirements specified in this Part of the permit and in accordance with "Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms, Fourth Edition" (EPA-821-R-02-013), or its most recent update:

   1) Chronic static renewal survival and reproduction test using the water flea (*Ceriodaphnia dubia*) (Method 1002.0). This test should be terminated when 60% of the surviving adults in the control produce three broods or at the end of eight days, whichever comes first. This test shall be conducted once per quarter.

   2) Chronic static renewal 7-day larval survival and growth test using the fathead minnow (*Pimephales promelas*) (Method 1000.0). A minimum of five replicates with eight organisms per replicate shall be used in the control and in each dilution. This test shall be conducted once per quarter.

   The permittee must perform and report a valid test for each test species during the prescribed reporting period. An invalid test must be repeated during the same reporting period. An invalid test is herein defined as any test failing to satisfy the test acceptability criteria, procedures, and quality assurance requirements specified in the test methods and permit. All test results, valid or invalid, must be submitted as described below.

   c. The permittee shall use five effluent dilution concentrations and a control in each toxicity test. These additional effluent concentrations are 6%, 8%, 11%, 15%, and 20% effluent. The critical dilution, defined as 15% effluent, is the effluent concentration representative of the proportion of effluent in the receiving water during critical low flow or critical mixing conditions.

   d. This permit may be amended to require a WET limit, Chemical-Specific (CS) effluent limits, a Best Management Practice (BMP), or other appropriate actions to address toxicity. The permittee may be required to conduct a Toxicity Reduction Evaluation after multiple toxic events.

   e. **Testing Frequency Reduction**

   1) If none of the first four consecutive quarterly tests demonstrates significant toxicity, the permittee may submit this information in writing and, upon approval, reduce the testing frequency to once per six months for the invertebrate test species and once per year for the vertebrate test species.

   2) If one or more of the first four consecutive quarterly tests demonstrates significant toxicity, the permittee shall continue quarterly testing for that species until the permit is reissued. If a testing frequency reduction had been previously granted and a subsequent test demonstrates significant toxicity, the permittee
will resume a quarterly testing frequency for that species until the permit is reissued.

2. **Required Toxicity Testing Conditions**

   a. **Test Acceptance** - The permittee shall repeat any toxicity test, including the control and all effluent dilutions, which fail to meet the following criteria:

   1) a control mean survival of 80% or greater;

   2) a control mean number of water flea neonates per surviving adult of 15 or greater;

   3) a control mean dry weight of surviving fathead minnow larvae of 0.25 mg or greater;

   4) a control Coefficient of Variation percent (CV%) of 40 or less in between replicates for the young of surviving females in the water flea test; and the growth and survival endpoints in the fathead minnow test.

   5) a critical dilution CV% of 40 or less for young of surviving females in the water flea test; and the growth and survival endpoints for the fathead minnow test. However, if statistically significant lethal or nonlethal effects are exhibited at the critical dilution, a CV% greater than 40 shall not invalidate the test.

   6) a Percent Minimum Significant Difference of 47 or less for water flea reproduction;

   7) a Percent Minimum Significant Difference of 30 or less for fathead minnow growth.

   b. **Statistical Interpretation**

   1) For the water flea survival test, the statistical analyses used to determine if there is a significant difference between the control and an effluent dilution shall be Fisher's Exact Test as described in the manual referenced above, or its most recent update.

   2) For the water flea reproduction test and the fathead minnow larval survival and growth tests, the statistical analyses used to determine if there is a significant difference between the control and an effluent dilution shall be in accordance with the manual referenced above, or its most recent update.

   3) The permittee is responsible for reviewing test concentration-response relationships to ensure that calculated test-results are interpreted and reported correctly. The EPA manual, "Method Guidance and Recommendation for Whole Effluent Toxicity (WET) Testing (40 CFR Part 136)" (EPA 821-B-00-004), provides guidance on determining the validity of test results.

   4) If significant lethality is demonstrated (that is, there is a statistically significant difference in survival at the critical dilution when compared to the control), the conditions of test acceptability are met, and the survival of the test organisms are equal to or greater than 80% in the critical dilution and all dilutions below that, then the permittee shall report a survival No Observed Effect Concentration (NOEC) of not less than the critical dilution for the reporting requirements.
5) The NOEC is defined as the greatest effluent dilution at which no significant effect is demonstrated. The Lowest Observed Effect Concentration (LOEC) is defined as the lowest effluent dilution at which a significant effect is demonstrated. A significant effect is herein defined as a statistically significant difference between the survival, reproduction, or growth of the test organism(s) in a specified effluent dilution compared to the survival, reproduction, or growth of the test organism(s) in the control (0% effluent).

6) The use of NOECs and LOECs assumes either a monotonic (continuous) concentration-response relationship or a threshold model of the concentration-response relationship. For any test result that demonstrates a non-monotonic (non-continuous) response, the NOEC should be determined based on the guidance manual referenced in Item 3 above.

7) Pursuant to the responsibility assigned to the permittee in Part 2.b.3), test results that demonstrate a non-monotonic (non-continuous) concentration-response relationship may be submitted, prior to the due date, for technical review. The above-referenced guidance manual will be used when making a determination of test acceptability.

8) Staff will review test results for consistency with rules, procedures, and permit requirements.

c. Dilution Water

1) Dilution water used in the toxicity tests shall be the receiving water collected as close as possible to the point of discharge into the lake but unaffected by the discharge.

2) Where the receiving water proves unsatisfactory as a result of pre-existing instream toxicity (i.e. fails to fulfill the test acceptance criteria of item 2.a.), the permittee may substitute synthetic dilution water for the receiving water in all subsequent tests provided the unacceptable receiving water test met the following stipulations:

   a) a synthetic lab water control was performed (in addition to the receiving water control) which fulfilled the test acceptance requirements of item 2.a;

   b) the test indicating receiving water toxicity was carried out to completion (i.e., 7 days);

   c) the permittee submitted all test results indicating receiving water toxicity with the reports and information required in Part 3 of this Section.

3) The synthetic dilution water shall consist of standard, moderately hard, reconstituted water. Upon approval, the permittee may substitute other appropriate dilution water with chemical and physical characteristics similar to that of the receiving water.

d. Samples and Composites

1) The permittee shall collect a minimum of three composite samples from Outfall
001. The second and third composite samples will be used for the renewal of the dilution concentrations for each toxicity test.

2) The permittee shall collect the composite samples such that the samples are representative of any periodic episode of chlorination, biocide usage, or other potentially toxic substance discharged on an intermittent basis.

3) The permittee shall initiate the toxicity tests within 36 hours after collection of the last portion of the first composite sample. The holding time for any subsequent composite sample shall not exceed 72 hours. Samples shall be maintained at a temperature of 6-6 degrees Centigrade during collection, shipping, and storage.

4) If Outfall 001 ceases discharging during the collection of effluent samples, the requirements for the minimum number of effluent samples, the minimum numbers of effluent portions, and the sample holding time, are waived during that sampling period. However, the permittee must have collected an effluent composite sample volume sufficient to complete the required toxicity tests with renewal of the effluent. When possible, the effluent samples used for the toxicity tests shall be collected on separate days if the discharge occurs over multiple days. The sample collection duration and the static renewal protocol associated with the abbreviated sample collection must be documented in the full report.

5) The effluent samples shall not be dechlorinated after sample collection.

3. Reporting

All reports, tables, plans, summaries, and related correspondence required in any Part of this Section shall be submitted to the attention of the Standards Implementation Team (MC 150) of the Water Quality Division.

a. The permittee shall prepare a full report of the results of all tests conducted in accordance with the manual referenced above, or its most recent update, for every valid and invalid toxicity test initiated whether carried to completion or not.

b. The permittee shall routinely report the results of each biomonitoring test on the Table 1 forms provided with this permit.

1) Annual biomonitoring test results are due on or before January 20th for biomonitoring conducted during the previous 12 month period.

2) Semiannual biomonitoring test results are due on or before July 20th and January 20th for biomonitoring conducted during the previous 6 month period.

3) Quarterly biomonitoring test results are due on or before April 20th, July 20th, October 20th, and January 20th, for biomonitoring conducted during the previous calendar quarter.

4) Monthly biomonitoring test results are due on or before the 20th day of the month following sampling.

c. Enter the following codes for the appropriate parameters for valid tests only:

1) For the water flea, Parameter TLP3B, enter a “1” if the NOEC for survival is less
than the critical dilution; otherwise, enter a "0."

2) For the water flea, Parameter TOP3B, report the NOEC for survival.

3) For the water flea, Parameter TXP3B, report the LOEC for survival.

4) For the water flea, Parameter TWP3B, enter a "1" if the NOEC for reproduction is less than the critical dilution; otherwise, enter a "0."

5) For the water flea, Parameter TPP3B, report the NOEC for reproduction.

6) For the water flea, Parameter TYP3B, report the LOEC for reproduction.

7) For the fathead minnow, Parameter TLP6C, enter a "1" if the NOEC for survival is less than the critical dilution; otherwise, enter a "0."

8) For the fathead minnow, Parameter TOP6C, report the NOEC for survival.

9) For the fathead minnow, Parameter TXP6C, report the LOEC for survival.

10) For the fathead minnow, Parameter TWP6C, enter a "1" if the NOEC for growth is less than the critical dilution; otherwise, enter a "0."

11) For the fathead minnow, Parameter TPP6C, report the NOEC for growth.

12) For the fathead minnow, Parameter TYP6C, report the LOEC for growth

d. Enter the following codes for retests only:

1) For retest number 1, Parameter 22415, enter a "1" if the NOEC for survival is less than the critical dilution; otherwise, enter a "0."

2) For retest number 2, Parameter 22416, enter a "1" if the NOEC for survival is less than the critical dilution; otherwise, enter a "0."

4. **Persistent Toxicity**

The requirements of this Part apply only when a test demonstrates a significant effect at the critical dilution. A significant effect is defined as a statistically significant difference between a specified endpoint (survival, growth, or reproduction) of the test organism in a specified effluent dilution when compared to the specified endpoint of the test organism in the control. Significant lethality is defined as a statistically significant difference in survival at the critical dilution when compared to the survival in the control. Significant sublethality is defined as a statistically significant difference in growth/reproduction at the critical dilution when compared to the growth/reproduction in the control.

a. The permittee shall conduct a total of 2 additional tests (retests) for any species that demonstrates a significant effect (lethal or sublethal) at the critical dilution. The two retests shall be conducted monthly during the next two consecutive months. The permittee shall not substitute either of the two retests in lieu of routine toxicity testing. All reports shall be submitted within 20 days of test completion. Test completion is defined as the last day of the test.

b. If the retests are performed due to a demonstration of significant lethality, and one or
both of the two retests specified in item 4.a. demonstrates significant lethality, the permittee shall initiate the TRE requirements as specified in Part 5. The provisions of item 4.a. are suspended upon completion of the two retests and submittal of the TRE Action Plan and Schedule defined in Part 5.

If neither test demonstrates significant lethality and the permittee is testing under the reduced testing frequency provision of Part 1.e., the permittee shall return to a quarterly testing frequency for that species.

c. If the two retests are performed due to a demonstration of significant sublethality, and one or both of the two retests specified in item 4.a. demonstrates significant lethality, the permittee shall again perform two retests as stipulated in item 4.a.

d. If the two retests are performed due to a demonstration of significant sublethality, and neither test demonstrates significant lethality, the permittee shall continue testing at the quarterly frequency.

e. Regardless of whether retesting for lethal or sublethal effects, or a combination of the two, no more than one retest per month is required for a species.

5. **Toxicity Reduction Evaluation**

   a. Within 45 days of the retest that demonstrates significant lethality, or within 45 days of being so instructed due to multiple toxic events, the permittee shall submit a General Outline for initiating a Toxicity Reduction Evaluation (TRE). The outline shall include, but not be limited to, a description of project personnel, a schedule for obtaining consultants (if needed), a discussion of influent and effluent data available for review, a sampling and analytical schedule, and a proposed TRE initiation date.

   b. Within 90 days of the retest that demonstrates significant lethality, or within 90 days of being so instructed due to multiple toxic events, the permittee shall submit a TRE Action Plan and Schedule for conducting a TRE. The plan shall specify the approach and methodology to be used in performing the TRE. A TRE is a step-wise investigation combining toxicity testing with physical and chemical analysis to determine actions necessary to eliminate or reduce effluent toxicity to a level not effecting significant lethality at the critical dilution. The TRE Action Plan shall lead to the successful elimination of significant lethality for both test species defined in item 1.b. As a minimum, the TRE Action Plan shall include the following:

1) **Specific Activities** - The TRE Action Plan shall specify the approach the permittee intends to utilize in conducting the TRE, including toxicity characterizations, identifications, confirmations, source evaluations, treatability studies, and alternative approaches. When conducting characterization analyses, the permittee shall perform multiple characterizations and follow the procedures specified in the document entitled, "Toxicity Identification Evaluation: Characterization of Chronically Toxic Effluents, Phase I" (EPA/600/6-91/005F), or alternate procedures. The permittee shall perform multiple identifications and follow the methods specified in the documents entitled, "Methods for Aquatic Toxicity Identification Evaluations, Phase II Toxicity Identification Procedures for Samples Exhibiting Acute and Chronic Toxicity" (EPA/600/R-92/080) and "Methods for Aquatic Toxicity Identification Evaluations, Phase III Toxicity Confirmation Procedures for Samples Exhibiting Acute and Chronic Toxicity" (EPA/600/R-92/081). All characterization, identification, and confirmation tests shall be conducted in an orderly and logical progression;
2) Sampling Plan - The TRE Action Plan should describe sampling locations, methods, holding times, chain of custody, and preservation techniques. The effluent sample volume collected for all tests shall be adequate to perform the toxicity characterization/identification/confirmation procedures, and chemical-specific analyses when the toxicity tests show significant lethality. Where the permittee has identified or suspects specific pollutant(s) and source(s) of effluent toxicity, the permittee shall conduct, concurrent with toxicity testing, chemical-specific analyses for the identified and suspected pollutant(s) and source(s) of effluent toxicity;

3) Quality Assurance Plan - The TRE Action Plan should address record keeping and data evaluation, calibration and standardization, baseline tests, system blanks, controls, duplicates, spikes, toxicity persistence in the samples, randomization, reference toxicant control charts, as well as mechanisms to detect artifactual toxicity; and

4) Project Organization - The TRE Action Plan should describe the project staff, project manager, consulting engineering services (where applicable), consulting analytical and toxicological services, etc.

c. Within 30 days of submittal of the TRE Action Plan and Schedule, the permittee shall implement the TRE with due diligence.

d. The permittee shall submit quarterly TRE Activities Reports concerning the progress of the TRE. The quarterly reports are due on or before April 20th, July 20th, October 20th, and January 20th. The report shall detail information regarding the TRE activities including:

1) results and interpretation of any chemical-specific analyses for the identified and suspected pollutant(s) performed during the quarter;

2) results and interpretation of any characterization, identification, and confirmation tests performed during the quarter;

3) any data and substantiating documentation which identifies the pollutant(s) and source(s) of effluent toxicity;

4) results of any studies/evaluations concerning the treatability of the facility’s effluent toxicity;

5) any data which identifies effluent toxicity control mechanisms that will reduce effluent toxicity to the level necessary to meet no significant lethality at the critical dilution; and

6) any changes to the initial TRE Plan and Schedule that are believed necessary as a result of the TRE findings.

Copies of the TRE Activities Report shall also be submitted to the U.S. EPA Region 6 office.

c. During the TRE, the permittee shall perform, at a minimum, quarterly testing using the more sensitive species; testing for the less sensitive species shall continue at the frequency specified in Part 1.b.


f. If the effluent ceases to effect significant lethality (herein as defined below) the permittee may end the TRE. A "cessation of lethality" is defined as no significant lethality for a period of 12 consecutive months with at least monthly testing. At the end of the 12 months, the permittee shall submit a statement of intent to cease the TRE and may then resume the testing frequency specified in Part 1.b. The permittee may only apply the "cessation of lethality" provision once.

This provision accommodates situations where operational errors and upsets, spills, or sampling errors triggered the TRE, in contrast to a situation where a single toxicant or group of toxicants cause lethality. This provision does not apply as a result of corrective actions taken by the permittee. "Corrective actions" are herein defined as proactive efforts which eliminate or reduce effluent toxicity. These include, but are not limited to, source reduction or elimination, improved housekeeping, changes in chemical usage, and modifications of influent streams and effluent treatment.

The permittee may only apply this cessation of lethality provision once. If the effluent again demonstrates significant lethality to the same species, the permit will be amended to add a WET limit with a compliance period, if appropriate. However, prior to the effective date of the WET limit, the permittee may apply for a permit amendment removing and replacing the WET limit with an alternate toxicity control measure by identifying and confirming the toxicant and an appropriate control measure.

g. The permittee shall complete the TRE and submit a Final Report on the TRE Activities no later than 28 months from the last test day of the retest that confirmed significant lethal effects at the critical dilution. The permittee may petition the Executive Director (in writing) for an extension of the 28-month limit. However, to warrant an extension the permittee must have demonstrated due diligence in their pursuit of the TIE/TRE and must prove that circumstances beyond their control stalled the TIE/TRE. The report shall provide information pertaining to the specific control mechanism(s) selected that will, when implemented, result in reduction of effluent toxicity to no significant lethality at the critical dilution. The report will also provide a specific corrective action schedule for implementing the selected control mechanism(s). A copy of the TRE Final Report shall also be submitted to the U.S. EPA Region 6 office.

h. Based upon the results of the TRE and proposed corrective actions, this permit may be amended to modify the biomonitoring requirements, where necessary, to require a compliance schedule for implementation of corrective actions, to specify a WET limit, to specify a BMP, and to specify CS limits.
TABLE 1 (SHEET 1 OF 4)

BIOMONITORING REPORTING

CERIODAPHNIA DUBIA SURVIVAL AND REPRODUCTION

<table>
<thead>
<tr>
<th>Dates and Times Composites Collected</th>
<th>Date</th>
<th>Time</th>
<th>Date</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. 1 FROM: __________________     TO: __________________</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>No. 2 FROM: __________________     TO: __________________</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>No. 3 FROM: __________________     TO: __________________</td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

Test initiated: __________________ am/pm __________________________date

Dilution water used: _______ Receiving water _______ Synthetic Dilution water

NUMBER OF YOUNG PRODUCED PER ADULT AT END OF TEST

<table>
<thead>
<tr>
<th>REP</th>
<th>0%</th>
<th>6%</th>
<th>8%</th>
<th>11%</th>
<th>15%</th>
<th>20%</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
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<td></td>
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<td>B</td>
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<td>C</td>
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<tr>
<td>Survival Mean</td>
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<td>Total Mean</td>
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</tr>
<tr>
<td>CV%*</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PMSD</td>
<td></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

*Coefficient of Variation = standard deviation x 100/mean (calculation based on young of the surviving adults)
Designate males (M), and dead females (D), along with number of neonates (x) released prior to death.
TABLE 1 (SHEET 2 OF 4)

CERIODAPHNIA DUBIA SURVIVAL AND REPRODUCTION TEST

1. Dunnett’s Procedure or Steel’s Many-One Rank Test or Wilcoxon Rank Sum Test (with Bonferroni adjustment) or t-test (with Bonferroni adjustment) as appropriate:

Is the mean number of young produced per adult significantly less than the number of young per adult in the control for the % effluent corresponding to significant nonlethal effects?

CRITICAL DILUTION (15%): _______ YES _______ NO

PERCENT SURVIVAL

<table>
<thead>
<tr>
<th>Time of Reading</th>
<th>Percent effluent</th>
</tr>
</thead>
<tbody>
<tr>
<td>24h</td>
<td></td>
</tr>
<tr>
<td>48h</td>
<td></td>
</tr>
<tr>
<td>End of Test</td>
<td></td>
</tr>
</tbody>
</table>

2. Fisher’s Exact Test:

Is the mean survival at test end significantly less than the control survival for the % effluent corresponding to lethality?

CRITICAL DILUTION (15%): _______ YES _______ NO

3. Enter percent effluent corresponding to each NOEC/LOEC below:

a.) NOEC survival = ___________% effluent
b.) LOEC survival = ___________% effluent
c.) NOEC reproduction = __________% effluent
d.) LOEC reproduction = __________% effluent
TABLE 1 (SHEET 3 OF 4)

BIOMONITORING REPORTING

FATHEAD MINNOW LARVAE GROWTH AND SURVIVAL

Dates and Times Composites Collected

<table>
<thead>
<tr>
<th>No.</th>
<th>Date From</th>
<th>Time</th>
<th>Date To</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Test initiated: ____________________ am/pm ____________________ date

Dilution water used: _______ Receiving water _______ Synthetic dilution water

FATHEAD MINNOW GROWTH DATA

<table>
<thead>
<tr>
<th>Effluent Concentration</th>
<th>Average Dry Weight in replicate chambers</th>
<th>Mean Dry Weight</th>
<th>CV%*</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>A</td>
<td>B</td>
<td>C</td>
</tr>
<tr>
<td>0%</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6%</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>8%</td>
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<td></td>
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<tr>
<td>11%</td>
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<td></td>
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<tr>
<td>15%</td>
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<tr>
<td>20%</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>PMSD</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Coefficient of Variation = standard deviation x 100/mean

1. Dunnett's Procedure or Steel's Many-One Rank Test or Wilcoxon Rank Sum Test (with Bonferroni adjustment) or t-test (with Bonferroni adjustment) as appropriate:

  Is the mean dry weight (growth) at 7 days significantly less than the control's dry weight (growth) for the % effluent corresponding to significant nonlethal effects?

  CRITICAL DILUTION (15%): ________ YES ________ NO
### TABLE 1 (SHEET 4 OF 4)

**BIOMONITORING REPORTING**

**FATHEAD MINNOW GROWTH AND SURVIVAL TEST**

**FATHEAD MINNOW SURVIVAL DATA**

<table>
<thead>
<tr>
<th>Effluent Concentration</th>
<th>Percent Survival in replicate chambers</th>
<th>Mean percent survival</th>
<th>CV%*</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>A</td>
<td>B</td>
<td>C</td>
</tr>
<tr>
<td>0%</td>
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<td>6%</td>
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<td>8%</td>
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<td>11%</td>
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<td>15%</td>
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<td></td>
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<tr>
<td>20%</td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

* Coefficient of Variation = standard deviation x 100/mean

2. Dunnett's Procedure or Steel's Many-One Rank Test or Wilcoxon Rank Sum Test (with Bonferroni adjustment) or t-test (with Bonferroni adjustment) as appropriate:

   Is the mean survival at 7 days significantly less than the control survival for the % effluent corresponding to lethality?

   CRITICAL DILUTION (15%): _____ YES _____ NO

3. Enter percent effluent corresponding to each NOEC\LOEC below:
   a.) NOEC survival = _________% effluent
   b.) LOEC survival = _________% effluent
   c.) NOEC growth = _________% effluent
   d.) LOEC growth = _________% effluent
24-HOUR ACUTE BIOMONITORING REQUIREMENTS: FRESHWATER

The provisions of this section apply to Outfall 001 for whole effluent toxicity (WET) testing.

1. **Scope, Frequency and Methodology**

   a. The permittee shall test the effluent for lethality in accordance with the provisions in this Section. Such testing will determine compliance with the Surface Water Quality Standard, 307.6(e)(2)(B), of greater than 50% survival of the appropriate test organisms in 100% effluent for a 24-hour period.

   b. The toxicity tests specified shall be conducted once per six months. The permittee shall conduct the following toxicity tests utilizing the test organisms, procedures, and quality assurance requirements specified in this section of the permit and in accordance with “Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms, Fifth Edition” (EPA-821-R-02-012), or its most recent update:

      1) Acute 24-hour static toxicity test using the water flea (*Daphnia pulex* or *Ceriodaphnia dubia*). A minimum of five replicates with eight organisms per replicate shall be used in the control and in each dilution.

      2) Acute 24-hour static toxicity test using the fathead minnow (*Pimephales promelas*). A minimum of five replicates with eight organisms per replicate shall be used in the control and in each dilution.

   A valid test result must be submitted for each reporting period. The permittee must report, and then repeat, an invalid test during the same reporting period. The repeat test shall include the control and the 100% effluent dilution and use the appropriate number of organisms and replicates, as specified above. An invalid test is herein defined as any test failing to satisfy the test acceptability criteria, procedures, and quality assurance requirements specified in the test methods and permit.

   c. In addition to an appropriate control, a 100% effluent concentration shall be used in the toxicity tests. The control and dilution water shall consist of standard, synthetic, moderately hard, reconstituted water.

   d. This permit may be amended to require a WET limit, a Best Management Practice (BMP), Chemical-Specific (CS) limits, or other appropriate actions to address toxicity. The permittee may be required to conduct a Toxicity Reduction Evaluation after multiple toxic events.

2. **Required Toxicity Testing Conditions**

   a. Test Acceptance - The permittee shall repeat any toxicity test, including the control, if the control fails to meet a mean survival equal to or greater than 90%.

   b. Dilution Water - In accordance with item 1.c., the control and dilution water shall consist of standard, synthetic, moderately hard, reconstituted water.

   c. Samples and Composites

      1) The permittee shall collect one composite sample from Outfall 001.
2) The permittee shall collect the composite samples such that the samples are representative of any periodic episode of chlorination, biocide usage, or other potentially toxic substance discharged on an intermittent basis.

3) The permittee shall initiate the toxicity tests within 36 hours after collection of the last portion of the composite sample. Samples shall be maintained at a temperature of 0-6 degrees Centigrade during collection, shipping, and storage.

4) If Outfall 001 ceases discharging during the collection of the effluent composite sample, the requirements for the minimum number of effluent portions are waived. However, the permittee must have collected a composite sample volume sufficient for completion of the required test. The abbreviated sample collection, duration, and methodology must be documented in the full report.

5) The effluent samples shall not be dechlorinated after sample collection.

3. Reporting

All reports, tables, plans, summaries, and related correspondence required in any Part of this Section shall be submitted to the attention of the Standards Implementation Team (MC 150) of the Water Quality Division.

a. The permittee shall prepare a full report of the results of all tests conducted in accordance with the manual referenced above, or its most recent update thereof, for every valid and invalid toxicity test initiated.

b. The permittee shall routinely report the results of each biomonitoring test on the Table 2 forms provided with this permit.

1) Semiannual biomonitoring test results are due on or before January 20th and July 20th for biomonitoring conducted during the previous 6 month period.

2) Quarterly biomonitoring test results are due on or before January 20th, April 20th, July 20th, and October 20th, for biomonitoring conducted during the previous calendar quarter.

c. Enter the following codes on for the appropriate parameters for valid tests only:

1) For the water flea, Parameter TIE3D, enter a “0” if the mean survival at 24-hours is greater than 50% in the 100% effluent dilution; if the mean survival is less than or equal to 50%, enter a “1.”

2) For the fathead minnow, Parameter TIE6C, enter a “0” if the mean survival at 24-hours is greater than 50% in the 100% effluent dilution; if the mean survival is less than or equal to 50%, enter a “1.”

d. Enter the following codes for retests only:

1) For retest number 1, Parameter 22415, enter a “0” if the mean survival at 24-hours is greater than 50% in the 100% effluent dilution; if the mean survival is less than or equal to 50%, enter a “1.”

2) For retest number 2, Parameter 22416, enter a “0” if the mean survival at 24-hours is greater than 50% in the 100% effluent dilution; if the mean survival is
less than or equal to 50%, enter a “1.”

4. **Persistent Mortality**

The requirements of this Part apply when a toxicity test demonstrates significant lethality, here defined as a mean mortality of 50% or greater to organisms exposed to the 100% effluent concentration after 24-hours.

a. The permittee shall conduct 2 additional tests (retests) for each species that demonstrates significant lethality. The two retests shall be conducted once per week for 2 weeks. Five effluent dilution concentrations in addition to an appropriate control shall be used in the retests. These additional effluent concentrations are 6%, 13%, 25%, 50% and 100% effluent. The first retest shall be conducted within 15 days of the laboratory determination of significant lethality. All test results shall be submitted within 20 days of test completion of the second retest. Test completion is defined as the 24th hour.

b. If one or both of the two retests specified in item 4.a. demonstrates significant lethality, the permittee shall initiate the TRE requirements as specified in Part 5 of this Section.

5. **Toxicity Reduction Evaluation**

a. Within 45 days of the retest that demonstrates significant lethality, the permittee shall submit a General Outline for initiating a Toxicity Reduction Evaluation (TRE). The outline shall include, but not be limited to, a description of project personnel, a schedule for obtaining consultants (if needed), a discussion of influent and effluent data available for review, a sampling and analytical schedule, and a proposed TRE initiation date.

b. Within 90 days of the retest that demonstrates significant lethality, the permittee shall submit a TRE Action Plan and Schedule for conducting a TRE. The plan shall specify the approach and methodology to be used in performing the TRE. A TRE is a step-wise investigation combining toxicity testing with physical and chemical analysis to determine actions necessary to eliminate or reduce effluent toxicity to a level not effecting significant lethality at the critical dilution. The TRE Action Plan shall lead to the successful elimination of significant lethality for both test species defined in item 1.b. As a minimum, the TRE Action Plan shall include the following:

1) **Specific Activities** - The TRE Action Plan shall specify the approach the permittee intends to utilize in conducting the TRE, including toxicity characterizations, identifications, confirmations, source evaluations, treatability studies, and alternative approaches. When conducting characterization analyses, the permittee shall perform multiple characterizations and follow the procedures specified in the document entitled, “Methods for Aquatic Toxicity Identification Evaluations: Phase I Toxicity Characterization Procedures” (EPA/600/6-91/003), or alternate procedures. The permittee shall perform multiple identifications and follow the methods specified in the documents entitled, “Methods for Aquatic Toxicity Identification Evaluations, Phase II Toxicity Identification Procedures for Samples Exhibiting Acute and Chronic Toxicity” (EPA/600/R-92/080) and “Methods for Aquatic Toxicity Identification Evaluations, Phase III Toxicity Confirmation Procedures for Samples Exhibiting Acute and Chronic Toxicity” (EPA/600/R-92/081). All characterization, identification, and confirmation tests shall be conducted in an orderly and logical progression;

2) **Sampling Plan** - The TRE Action Plan should describe sampling locations,
methods, holding times, chain of custody, and preservation techniques. The effluent sample volume collected for all tests shall be adequate to perform the toxicity characterization/identification/confirmation procedures, and chemical-specific analyses when the toxicity tests show significant lethality. Where the permittee has identified or suspects specific pollutant(s) and source(s) of effluent toxicity, the permittee shall conduct, concurrent with toxicity testing, chemical-specific analyses for the identified and suspected pollutant(s) and source(s) of effluent toxicity;

3) Quality Assurance Plan - The TRE Action Plan should address record keeping and data evaluation, calibration and standardization, baseline tests, system blanks, controls, duplicates, spikes, toxicity persistence in the samples, randomization, reference toxicant control charts, as well as mechanisms to detect artifactual toxicity; and

4) Project Organization - The TRE Action Plan should describe the project staff, project manager, consulting engineering services (where applicable), consulting analytical and toxicological services, etc.

c. Within 30 days of submittal of the TRE Action Plan and Schedule, the permittee shall implement the TRE with due diligence.

d. The permittee shall submit quarterly TRE Activities Reports concerning the progress of the TRE. The quarterly TRE Activities Reports are due on or before April 20th, July 20th, October 20th, and January 20th. The report shall detail information regarding the TRE activities including:

1) results and interpretation of any chemical-specific analyses for the identified and suspected pollutant(s) performed during the quarter;

2) results and interpretation of any characterization, identification, and confirmation tests performed during the quarter;

3) any data and substantiating documentation which identifies the pollutant(s) and source(s) of effluent toxicity;

4) results of any studies/evaluations concerning the treatability of the facility’s effluent toxicity;

5) any data which identifies effluent toxicity control mechanisms that will reduce effluent toxicity to the level necessary to eliminate significant lethality; and

6) any changes to the initial TRE Plan and Schedule that are believed necessary as a result of the TRE findings.

Copies of the TRE Activities Report shall also be submitted to the U.S. EPA Region 6 office.

e. During the TRE, the permittee shall perform, at a minimum, quarterly testing using the more sensitive species; testing for the less sensitive species shall continue at the frequency specified in Part 1.b.

f. If the effluent ceases to effect significant lethality (herein as defined below) the permittee may end the TRE. A “cessation of lethality” is defined as no significant lethality for a
period of 12 consecutive weeks with at least weekly testing. At the end of the 12 weeks, the permittee shall submit a statement of intent to cease the TRE and may then resume the testing frequency specified in Part 1.b. The permittee may only apply the “cessation of lethality” provision once.

This provision accommodates situations where operational errors and upsets, spills, or sampling errors triggered the TRE, in contrast to a situation where a single toxicant or group of toxicants cause lethality. This provision does not apply as a result of corrective actions taken by the permittee. “Corrective actions” are herein defined as proactive efforts which eliminate or reduce effluent toxicity. These include, but are not limited to, source reduction or elimination, improved housekeeping, changes in chemical usage, and modifications of influent streams and effluent treatment.

The permittee may only apply this cessation of lethality provision once. If the effluent again demonstrates significant lethality to the same species, the permit will be amended to add a WET limit with a compliance period, if appropriate. However, prior to the effective date of the WET limit, the permittee may apply for a permit amendment removing and replacing the WET limit with an alternate toxicity control measure by identifying and confirming the toxicant and an appropriate control measure.

g. The permittee shall complete the TRE and submit a Final Report on the TRE Activities no later than 18 months from the last test day of the retest that demonstrates significant lethality. The permittee may petition the Executive Director (in writing) for an extension of the 18-month limit. However, to warrant an extension the permittee must have demonstrated due diligence in their pursuit of the TIE/TRE and must prove that circumstances beyond their control stalled the TIE/TRE. The report shall specify the control mechanism(s) that will, when implemented, reduce effluent toxicity as specified in item 5.g. The report will also specify a corrective action schedule for implementing the selected control mechanism(s). A copy of the TRE Final Report shall also be submitted to the U.S. EPA Region 6 office.

h. Within 3 years of the last day of the test confirming toxicity, the permittee shall comply with 307.6(e)(2)(B), which requires greater than 50% survival of the test organism in 100% effluent at the end of 24-hours. The permittee may petition the Executive Director (in writing) for an extension of the 3-year limit. However, to warrant an extension the permittee must have demonstrated due diligence in their pursuit of the TIE/TRE and must prove that circumstances beyond their control stalled the TIE/TRE.

The requirement to comply with 307.6(e)(2)(B) may be exempted upon proof that toxicity is caused by an excess, imbalance, or deficiency of dissolved salts. This exemption excludes instances where individually toxic components (e.g. metals) form a salt compound. Following the exemption, the permit may be amended to include an ion-adjustment protocol, alternate species testing, or single species testing.

i. Based upon the results of the TRE and proposed corrective actions, this permit may be amended to modify the biomonitoring requirements where necessary, to require a compliance schedule for implementation of corrective actions, to specify a WET limit, to specify a BMP, and to specify a CS limit.
TABLE 2 (SHEET 1 OF 2)

WATER FLEA SURVIVAL

GENERAL INFORMATION

<table>
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<th>Date</th>
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<td>Composite Sample Collected</td>
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<td>Test Initiated</td>
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PERCENT SURVIVAL

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<tr>
<th>Time</th>
<th>Rep</th>
<th>Percent effluent</th>
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</table>

Enter percent effluent corresponding to the LC50 below:

24 hour LC50 = ____% effluent
### TABLE 2 (SHEET 2 OF 2)

**FATHEAD MINNOW SURVIVAL**

#### GENERAL INFORMATION

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<tr>
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#### PERCENT SURVIVAL

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<td>E</td>
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<tr>
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<td>MEAN</td>
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</tbody>
</table>

Enter percent effluent corresponding to the LC50 below:

24 hour LC50 = ______% effluent
APPENDIX B

Stormwater Permit and Certificate
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, 2011.

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, 2016

ISSUED DATE: July 13, 2016

[Signature]
For the Commission
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**Part I. DEFINITIONS**

All definitions in the Texas Water Code (TWC) §26.001 and Title 30 Texas Administrative Code (TAC) Chapter 305 apply to this permit and are incorporated by reference. Some specific definitions of words or phrases used in this permit are as follows:

**Arid Areas.** Areas with an average annual rainfall of less than ten (10) inches.

**Benchmark.** A benchmark pollutant concentration is a guidance level indicator that helps determine the effectiveness of chosen best management practices (BMPs). This type of monitoring differs from “compliance monitoring” in that exceedances of the indicator or benchmark level are not permit violations, but rather indicators that can help identify problems at the site with exposed or unidentified pollutant sources; or control measures that are either not working correctly, whose effectiveness need to be re-considered, or who need to be supplemented with additional BMP(s).

**Best Management Practices (BMPs).** Schedules of activities, prohibitions of practices, maintenance procedures, and other techniques to control, prevent or reduce the discharge of pollutants. BMPs also include treatment requirements, operating procedures, and practices to control site runoff, spills or leaks, sludge or waste disposal, or drainage from raw material storage areas.

**Co-located Industrial Activities.** Industrial activities conducted at a facility that are described by two or more SIC codes listed in this general permit.

**Co-located Industrial Facilities.** Industrial facilities, having different operators, that are located on a common property or adjoining property and that conduct industrial activities described by one or more sectors of this general permit.

**Composite Sample.** A sample made up of a minimum of three effluent portions collected in a continuous 24-hour period or during the period of daily discharge if less than 24 hours, combined in volumes proportional to flow, and collected at the intervals required by 30 TAC §319.9 (b).

**Construction Activity.** Includes soil disturbance activities, including clearing, grading, and excavating; and does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the site (e.g., the routine grading of existing dirt roads, asphalt overlays of existing roads, the routine clearing of existing right-of-ways, and similar maintenance activities). Regulated construction activity is defined in terms of small and large construction activity.

- **Small Construction Activity** is construction activity that results in land disturbance of equal to or greater than one (1) acre and less than five (5) acres of land. Small construction activity also includes the disturbance of less than one (1) acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than one (1) and less than five (5) acres of land.

- **Large Construction Activity** is construction activity that results in land disturbance of equal to or greater than five (5) acres of land. Large construction activity also includes the disturbance of less than five (5) acres of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than five (5) acres of land.

**Control Measure.** Any BMP, including structural and non-structural controls, or other method (including effluent limitations) used to prevent or reduce the discharge of pollutants to water in the state.
**Daily Average Concentration.** The arithmetic average of all effluent samples, composite or grab as required by this permit, within a period of one calendar month, consisting of at least four separate representative measurements. When four samples are not available in a calendar month, the arithmetic average (weighted by flow) of all values taken during the month must be used as the daily average concentration.

**Daily Maximum Concentration.** The maximum concentration measured on a single day, as determined by laboratory analysis of a grab sample or a composite sample.

**Diffuse Point Source.** A conveyance from which pollutants are or may be discharged that results from grading land for the purpose of adding parking lots, roads, and buildings so as to collect and convey stormwater off-site to prevent flooding (i.e. without a single point of origin or not introduced into a receiving stream from a specific outlet). Diffuse point sources include any identifiable conveyance from which pollutants might enter surface water in the state. By changing the surface or establishing grading patterns of the land, runoff is conveyed along the resulting drainage or grading patterns. A diffuse point source is not true sheet flow.

**Discharge.** For the purpose of this permit, 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.

**Drought.** For the purpose of this permit, an extended period of no precipitation in which a stormwater discharge does not occur during a monitoring or reporting period.

**Edwards Aquifer.** As defined under 30 TAC §213.3 (relating to the Edwards Aquifer), that portion of an arcuate belt of porous, water-bearing, predominantly carbonate rocks known as the Edwards and Associated Limestones in the Balcones Fault Zone trending from west to east to northeast in Kinney, Uvalde, Medina, Bexar, Comal, Hays, Travis, and Williamson Counties; and composed of the Salmon Peak Limestone, McKnight Formation, West Nueces Formation, Devil’s River Limestone, Person Formation, Kainer Formation, Edwards Formation, and Georgetown Formation. The permeable aquifer units generally overlie the less-permeable Glen Rose Formation to the south, overlie the less-permeable Comanche Peak and Walnut Formations north of the Colorado River, and underlie the less-permeable Del Rio Clay regionally.

**Edwards Aquifer Recharge Zone.** Generally, that area where the stratigraphic units constituting the Edwards Aquifer crop out, including the outcrops of other geologic formations in proximity to the Edwards Aquifer, where caves, sinkholes, faults, fractures, or other permeable features would create a potential for recharge of surface waters into the Edwards Aquifer. The recharge zone is identified as that area designated as such on official maps located in the offices of the TCEQ and the appropriate underground water conservation district.

**Existing Discharge.** For the purpose of this permit, this term applies to the discharge of stormwater associated with industrial activity and certain allowable non-stormwater sources listed in this general permit that has been authorized previously under an National Pollutant Discharge Elimination System (NPDES) or Texas Pollutant Discharge Elimination System (TPDES) general or individual permit.

**Facility.** For the purpose of this permit, all contiguous land and fixtures (including ponds and lagoons), structures, or appurtenances used at an industrial facility described by one or more of Sectors A through AD of this general permit.

**Grab Sample.** An individual sample collected in less than 15 minutes.

**General Permit.** A permit issued to authorize the discharge of waste into or adjacent to water in the state for one or more categories of waste discharge within a geographical area of the state or the entire state as provided by TWC §26.040.
**Hyperchlorinated Water.** Water resulting from hyperchlorination of waterlines or vessels, with a chlorine concentration greater than 10 milligrams per liter (mg/l).

**Hyperchlorination of Waterlines or Vessels.** Treatment of potable water lines or tanks with chlorine for disinfection purposes, typically following repair or partial replacement of the waterline or tank, and subsequently flushing the contents.

**Impaired Water.** For the purposes of this permit, water bodies identified as impaired on the latest approved CWA Section 303(d) List, or waters with an EPA-approved or established total maximum daily load (TMDL) that are found on the latest EPA approved Texas Integrated Report of Surface Water Quality for CWA Sections 305(b) and 303(d) as not meeting applicable state water quality standards.

**Inactive Industrial Facilities.** A facility where all industrial activities that are described in Part II, Section A.1. of this permit are suspended, and authorization under this general permit is required to be maintained. Also see sector-specific definitions for Inactive facilities in Part V, Sections G, H, J, and L of this general permit.

**Industrial Activity.** Any of the ten (10) categories of industrial activities included in the definition of “stormwater discharges associated with industrial activity” as defined in 40 Code of Federal Regulations (CFR) §122.26(b)(14)(i)-(ix) and (xi).

**Infeasible.** For the purpose of this permit, infeasible means not technologically possible or not economically practicable and achievable in light of best industry practices. The TCEQ notes that it does not intend for any MSGP permit requirement to conflict with state water right laws.

**Inland Waters.** All surface water in the state other than those defined as tidal waters.

**Municipal Separate Storm Sewer System (MS4).** A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

(a) owned or operated by the United States, a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to state law) having jurisdiction over the disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under CWA §208 that discharges to surface water in the state;

(b) that is designed or used for collecting or conveying stormwater;

(c) that is not a combined sewer; and

(d) that is not part of a publicly owned treatment works (POTW) as defined in 40 CFR §122.2.

**National Pollutant Discharge Elimination System (NPDES) (from 40 CFR §122.2).** The national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under CWA §§307, 402, 318, and 405. The term includes an "approved program."

**New Discharge.** For the purpose of this permit, this term applies to the discharge of stormwater associated with industrial activity that did not commence prior to August 13, 1979, that is not a new source, and that has never received an NPDES or TPDES water quality permit for the stormwater discharge from the site. See 40 CFR §122.2.

**Non-structural Controls.** Pollution prevention methods that are not physically constructed, including BMPs used to prevent or reduce the discharge of pollutants.
No Exposure. A condition at an industrial facility where all industrial materials and activities are protected by a storm resistant shelter to prevent exposure to rain, snow, snowmelt, and/or runoff. Industrial materials or activities include, but are not limited to, material handling equipment or activities, industrial machinery, raw materials, intermediate products, by-products, final products, or waste products. Material handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product or waste product.

No Exposure Certification (NEC). A written submission to the executive director from an applicant notifying that they intend to obtain a conditional exclusion from permit requirements by certifying that there is no exposure of industrial materials or activities to rain, snow, snowmelt, or stormwater runoff.

Notice of Change (NOC). Written notification from the permittee to the executive director providing changes to information that was previously provided to the agency in a notice of intent or no exposure certification (NEC) form.

Notice of Intent (NOI). A written submission to the executive director from an applicant requesting coverage under this general permit.

Notice of Termination (NOT). A written submission to the executive director from a discharger authorized under a general permit requesting termination of coverage.

Operator. A person responsible for the management of an industrial facility subject to the provisions of this general permit. Industrial facility operators include entities with operational control over industrial activities, including the ability to modify those activities; or entities with day-to-day operational control of activities at a facility necessary to ensure compliance with the permit (e.g., the entity is authorized to direct workers at a facility to carry out activities required by the permit).

Outfall. For the purpose of this permit, a point source at the point where stormwater runoff associated with industrial activity, and certain non-stormwater discharges listed in this permit, exits the facility and discharge(s) to surface water in the state or a municipal or private separate storm sewer system. An outfall from a diffuse point source includes the point or points where the diffuse point source discharges to surface water in the state or a municipal or private separate storm sewer system.

Permittee. An operator authorized under this general permit to discharge stormwater runoff associated with industrial activity and certain non-stormwater discharges to surface water in the state.

Point Source. Any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural stormwater runoff. For the purpose of this permit, a point source includes any identifiable conveyance from which pollutants might enter surface water in the state, including a diffuse point source as defined in this section.

Pollutant. (from TWC §26.001(13)) Dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, filter backwash, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal, and agricultural waste discharged into any water in the state. The term: (A) includes: (i) tail water or runoff water from irrigation associated with an animal feeding operation or concentrated animal feeding operation that is located in a major sole source impairment zone as defined by TWC §26.502; or (ii) rainwater runoff from the confinement area...
of an animal feeding operation or concentrated animal feeding operation that is located in a major sole source impairment zone, as defined by TWC §26.502; and (B) does not include tail water or runoff water from irrigation or rainwater runoff from other cultivated or uncultivated rangeland, pastureland, and farmland or rainwater runoff from an area of land located in a major sole source impairment zone, as defined by TWC §26.502, that is not owned or controlled by an operator of an animal feeding operation or concentrated animal feeding operation on which agricultural waste is applied.

Pollutant(s) of Concern (POC). For the purpose of this permit, a pollutant of concern (POC) includes biochemical oxygen demand (BOD), sediment, or a parameter that addresses sediment (such as total suspended solids (TSS), turbidity, or siltation), pathogens, oil and grease, and any pollutant that has been identified as a cause of impairment of any water body that will receive a discharge from an MS4 (See 40 CFR § 122.32(e)(3)).

Qualified Personnel. A person or persons who are knowledgeable of the requirements of this general permit, familiar with the industrial facility, knowledgeable of the stormwater pollution prevention plan (SWP3) at the industrial facility, able to assess conditions and activities that could impact stormwater quality at the facility, and able to evaluate the effectiveness of control measures.

Reportable Quantity Spill or Release. A discharge or spill of oil, petroleum product, used oil, industrial solid waste, hazardous substances including mixtures, streams, or solutions, or other substances into the environment in a quantity equal to or greater than the reportable quantity listed in 30 TAC §327.4 (relating to Reportable Quantities) in any 24-hour period and subject to 30 TAC §327.3 (relating to Notification Requirements).

Semiarid Areas. Areas with an average annual rainfall of at least ten (10) inches but less than 20 inches.

Separate storm sewer system. A conveyance or system of conveyances (including roads with drainage systems, streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains), designed or used for collecting or conveying stormwater; that is not a combined sewer, and that is not part of a publicly owned treatment works (POTW).

Sheet Flow. An overland flow or downslope movement of water taking the form of a thin, continuous film over relatively smooth soil or rock surfaces that have not been changed or graded, where there are no defined channels, and the flood water spreads out over a large area at a uniform depth. This definition does not include changing the surface of land or establishing grading patterns on land where a facility described in this permit is located, which would result in a point source as defined in this permit.

Significant Materials. Including, but not limited to: raw materials; fuels; materials (e.g., solvents, detergents, and plastic pellets); final products that are not designed for outdoor use; raw materials that are used for food processing or production; hazardous substances designated under CERCLA §101(14) of; any chemical the operator is required to report pursuant to Emergency Planning & Community Right-To-Know Act (EPCRA) §313, also known as Title III of Superfund Amendments and Reauthorization Act (SARA); fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with stormwater discharges.

Standard Industrial Classification (SIC) Code. A four (4) digit code created by the U.S. Office of Management & Budget for statistical classification purposes that describes an industrial activity that takes place at a facility or site. It is possible for a facility or site to have multiple SIC codes depending on the varying activities that take place.
- **Primary SIC Code** - (also known as “Site SIC Code” or “Facility SIC Code”). For the purpose of this permit, an SIC code that describes the principal product or group of products produced or distributed at a facility, or that describes services rendered. The primary SIC code may be determined based on the value of receipts or revenues or, if such information is not available for a particular facility, the number of employees or production rate for each process may be compared. The operation that generates the most revenue or employs the most personnel is the operation in which the facility is primarily engaged. In situations where the vast majority of on-site activity falls within one SIC code, that activity may be the primary SIC code.

- **Secondary SIC Code.** For the purpose of this permit an SIC code that describes an industrial activity that is performed at a regulated facility or site that is in addition to the primary SIC code. Determining the secondary industrial activity that occurs at a facility or site is accomplished by using the same criteria as determining the primary industrial activity at the facility (e.g., production value, receipts, employment).

**Storm Resistant Shelter.** A building or structure that is completely roofed and walled, or a structure with only a top cover but no side coverings, provided that any material or industrial activity located under or within the structure is not subject to any run-on and subsequent runoff of stormwater, or mobilization by wind.

**Stormwater and Stormwater Runoff.** Rainfall runoff, snowmelt runoff, and surface runoff and drainage.

**Stormwater Discharge Associated with Industrial Activity.** The discharge from any conveyance that is used for collecting and conveying stormwater and that is directly related to manufacturing, processing or raw materials storage areas at an industrial facility. For the purpose of this general permit, the term includes, but is not limited to, stormwater discharges from industrial plant yards; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; material handling areas; refuse/waste disposal areas; sites used for the application or disposal of process waste waters; sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms), intermediate products, and final products; similar areas where stormwater can contact pollutants related to industrial activity; and areas where industrial activity have taken place in the past and significant materials remain and are exposed to stormwater. For the purposes of this definition, materials handling areas include storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product, by-product or waste product. The term excludes areas located at industrial sites that are separate from the facility’s industrial activities, such as office buildings and accompanying parking lots, as long as the drainage from the excluded areas is not mixed with stormwater drained from areas of a facility that are covered by this general permit. This term includes discharges from facilities described under this general permit that are operated by federal, state, or municipal entities. For the complete regulatory definition, including the categories of industrial activity, see 40 CFR §122.26(b)(14).

**Structural Controls.** Physical or constructed features, such as silt fencing, sediment traps, and detention/retention ponds that prevent or reduce the discharge of pollutants.

**Surface Water in the State.** Lakes, bays, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, wetlands, marshes, inlets, canals, the Gulf of Mexico inside the territorial limits of the state (from the mean high water mark (MHWM) out 10.36 miles into the
Gulf), and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, navigable or nonnavigable, and including the beds and banks of all water-courses and bodies of surface water, that are wholly or partially inside or bordering the state or subject to the jurisdiction of the state; except that waters in treatment systems that are authorized by state or federal law, regulation, or permit, and that are created for the purpose of waste treatment are not considered to be water in the state.

**Texas Pollutant Discharge Elimination System (TPDES).** The state program for issuing, amending, terminating, monitoring, and enforcing permits, and imposing and enforcing pretreatment requirements, under the CWA §§ 307, 402, 318 and 405, TWC, and TAC regulations.

**Tidal Waters.** Those waters of the Gulf of Mexico within the jurisdiction of the State of Texas, bays and estuaries, and those portions of rivers and streams that are subject to the ebb and flow of the tides and that are subject to the intrusion of marine waters.

**Total Maximum Daily Load (TMDL).** The total amount of a pollutant that a water body can assimilate and still meet the Texas Surface Water Quality Standards.

**Waters of the United States** (from 40 CFR §122.2). Waters of the United States or waters of the U.S. means:

(a) all waters that are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters that are subject to the ebb and flow of the tide;

(b) all interstate waters, including interstate wetlands;

(c) all other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds that the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce including any such waters:

(1) that are or could be used by interstate or foreign travelers for recreational or other purposes;

(2) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or

(3) that are used or could be used for industrial purposes by industries in interstate commerce;

(d) all impoundments of waters otherwise defined as waters of the U.S. under this definition;

(e) tributaries of waters identified in paragraphs (a) through (d) of this definition;

(f) the territorial sea; and

(g) wetlands adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs (a) through (f) of this definition.
Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of the CWA (other than cooling ponds as defined in 40 CFR §423.11(m) that also meet the criteria of this definition) are not waters of the U.S. This exclusion applies only to manmade bodies of water that neither were originally created in waters of the U.S. (such as disposal area in wetlands) nor resulted from the impoundment of waters of the U.S. [See Note 1 of this section.] Waters of the U.S. do not include prior converted cropland. Notwithstanding the determination of an area’s status as prior converted cropland by any other federal agency, for the purposes of the CWA, the final authority regarding CWA jurisdiction remains with EPA.
Part II. PERMIT APPLICABILITY AND COVERAGE

This general permit provides authorization for point source discharges of stormwater associated with industrial activity and certain non-stormwater discharges to surface water in the state (including direct discharges to surface water in the state and discharges to municipal separate storm sewer systems, or MS4s). The permit contains effluent limitations and requirements applicable to all industrial activities that are eligible for coverage under this general permit. Industrial activities are subdivided into 30 industrial sectors.

This permit does not cover return flows from irrigated agriculture or agricultural runoff.

Section A. Discharges Eligible for Authorization by General Permit

1. Industrial Activities Covered

   (a) Need for a Permit. If any of the following criteria are met, a facility must have authorization for stormwater discharges and may obtain authorization under this general permit, if coverage is not otherwise prohibited:

      (1) The Standard Industrial Classification (SIC) code that describes the facility (i.e., the primary SIC code) is listed in Part II, Section A.1.b. below and in Part V of this general permit; or

      (2) The facility conducts an activity described by one or more Industrial Activity Codes described in Sectors K, L, O, or T (as listed in Part II, Section A.1.b. below and in Part V, Sections K, L, O, and T of this general permit); or

      (3) Stormwater discharges from the facility are subject to federal categorical effluent limitations for stormwater in Title 40 CFR Subchapter N Parts 400-471 (See Sectors A, C, D, E, I, J, O, and S in Part V of this general permit), or

      (4) The facility has been designated by the executive director as requiring coverage under Sector AD.

   The requirements for publicly-owned facilities are further described below in Part II, Section A.5. of this general permit.

   (b) Regulated SIC Codes and Industrial Activity Codes (Industrial Sectors)

   Industrial activities are grouped into 30 sectors of similar activities based on either SIC codes or Industrial Activity Codes. These sectors are further divided into sub-sectors and further defined by SIC codes in Part V of this general permit.
### SECTOR A: TIMBER PRODUCTS

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description of the Industrial Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>2411</td>
<td>Logging</td>
</tr>
<tr>
<td>2421</td>
<td>Sawmills and Planning Mills, General</td>
</tr>
<tr>
<td>2426</td>
<td>Hardwood Dimension and Flooring Mills</td>
</tr>
<tr>
<td>2429</td>
<td>Special Product Sawmills, Not Elsewhere Classified</td>
</tr>
<tr>
<td>2431</td>
<td>Millwork, Veneer, Plywood, And Structural Wood</td>
</tr>
<tr>
<td>2435</td>
<td>Hardwood Veneer and Plywood</td>
</tr>
<tr>
<td>2436</td>
<td>Softwood Veneer and Plywood</td>
</tr>
<tr>
<td>2439</td>
<td>Structural Wood Members, Not Elsewhere Classified</td>
</tr>
<tr>
<td>2441</td>
<td>Nailed and Lock Corner Wood Boxes and Shook</td>
</tr>
<tr>
<td>2448</td>
<td>Wood Pallets and Skids</td>
</tr>
<tr>
<td>2449</td>
<td>Wood Containers, Not Elsewhere Classified</td>
</tr>
<tr>
<td>2451</td>
<td>Mobile Homes</td>
</tr>
<tr>
<td>2452</td>
<td>Prefabricated Wood Buildings and Components</td>
</tr>
<tr>
<td>2491</td>
<td>Wood Preserving</td>
</tr>
<tr>
<td>2493</td>
<td>Reconstituted Wood Products</td>
</tr>
<tr>
<td>2499</td>
<td>Wood Products, Not Elsewhere Classified</td>
</tr>
</tbody>
</table>

### SECTOR B: PAPER AND ALLIED PRODUCTS

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description of the Industrial Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>2611</td>
<td>Pulp Mills</td>
</tr>
<tr>
<td>2621</td>
<td>Paper Mills</td>
</tr>
<tr>
<td>2631</td>
<td>Paperboard Mills</td>
</tr>
<tr>
<td>2652</td>
<td>Setup Paperboard Boxes</td>
</tr>
<tr>
<td>2653</td>
<td>Corrugated and Solid Fiber Boxes</td>
</tr>
<tr>
<td>2655</td>
<td>Fiber Cans, Tubes, Drums, and Similar Products</td>
</tr>
<tr>
<td>2656</td>
<td>Sanitary Food Containers, Except Folding sanitary cartons</td>
</tr>
<tr>
<td>2657</td>
<td>Folding Paperboard Boxes, Including Sanitary folding cartons</td>
</tr>
<tr>
<td>2671</td>
<td>Packaging Paper and Plastics Film, Coated and Laminated</td>
</tr>
<tr>
<td>2672</td>
<td>Coated and Laminated Paper, Not Elsewhere Classified</td>
</tr>
<tr>
<td>2673</td>
<td>Plastics, Foil, and Coated Paper Bags</td>
</tr>
<tr>
<td>2674</td>
<td>Uncoated Paper and Multiwall Bags</td>
</tr>
<tr>
<td>SIC Code</td>
<td>Description of the Industrial Activity</td>
</tr>
<tr>
<td>---------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>2675</td>
<td>Die-Cut Paper and Paperboard and Cardboard</td>
</tr>
<tr>
<td>2676</td>
<td>Sanitary Paper Products</td>
</tr>
<tr>
<td>2677</td>
<td>Envelopes</td>
</tr>
<tr>
<td>2678</td>
<td>Stationery, Tablets, and Related Products</td>
</tr>
<tr>
<td>2679</td>
<td>Converted Paper and Paperboard Products, Not Elsewhere Classified</td>
</tr>
</tbody>
</table>

**SECTOR C: CHEMICAL AND ALLIED PRODUCTS**

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description of the Industrial Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>2812</td>
<td>Industrial Inorganic Chemicals Alkalies and Chlorine</td>
</tr>
<tr>
<td>2813</td>
<td>Industrial Inorganic Chemicals Industrial Gases</td>
</tr>
<tr>
<td>2816</td>
<td>Inorganic Pigments</td>
</tr>
<tr>
<td>2819</td>
<td>Industrial Inorganic Chemicals, Not Elsewhere Classified</td>
</tr>
<tr>
<td>2821</td>
<td>Plastics Materials, Synthetic Resins, and Nonvulcanizable Elastomers</td>
</tr>
<tr>
<td>2822</td>
<td>Synthetic Rubber (Vulcanizable Elastomers)</td>
</tr>
<tr>
<td>2823</td>
<td>Cellulosic Manmade Fibers</td>
</tr>
<tr>
<td>2824</td>
<td>Manmade Organic Fibers, Except Cellulosic</td>
</tr>
<tr>
<td>2833</td>
<td>Medicinal Chemicals and Botanical Products</td>
</tr>
<tr>
<td>2834</td>
<td>Pharmaceutical Preparations</td>
</tr>
<tr>
<td>2835</td>
<td>In Vitro and In Vivo Diagnostic Substances</td>
</tr>
<tr>
<td>2836</td>
<td>Biological Products, Except Diagnostic Substances</td>
</tr>
<tr>
<td>2841</td>
<td>Soap &amp; Other Detergents, Except Specialty Cleaners</td>
</tr>
<tr>
<td>2842</td>
<td>Specialty Cleaning, Polishing, and Sanitation Preparations</td>
</tr>
<tr>
<td>2843</td>
<td>Surface Active Agents, Finishing Agents, Sulfonated Oils, and Assistants</td>
</tr>
<tr>
<td>2844</td>
<td>Perfumes, Cosmetics, and Other Toilet Preparations</td>
</tr>
<tr>
<td>2851</td>
<td>Paints, Varnishes, Lacquers, Enamels, and Allied Products</td>
</tr>
<tr>
<td>2861</td>
<td>Gum and Wood Chemicals</td>
</tr>
<tr>
<td>2865</td>
<td>Cyclic Organic Crudes and Intermediates, and Organic Dyes and Pigments</td>
</tr>
<tr>
<td>2869</td>
<td>Industrial Organic Chemicals, Not Elsewhere Classified</td>
</tr>
<tr>
<td>2873</td>
<td>Nitrogenous Fertilizers</td>
</tr>
<tr>
<td>2874</td>
<td>Phosphatic Fertilizers</td>
</tr>
<tr>
<td>SIC Code</td>
<td>Description of the Industrial Activity</td>
</tr>
<tr>
<td>----------</td>
<td>----------------------------------------</td>
</tr>
<tr>
<td>2875</td>
<td>Fertilizers, Mixing Only Compost Fertilizers, mixed: made in plants not manufacturing fertilizer Potting soil, mixed</td>
</tr>
<tr>
<td>2879</td>
<td>Pesticides and Agricultural Chemicals, Not Elsewhere Classified</td>
</tr>
<tr>
<td>2891</td>
<td>Adhesives and Sealants</td>
</tr>
<tr>
<td>2892</td>
<td>Explosives</td>
</tr>
<tr>
<td>2893</td>
<td>Printing Ink</td>
</tr>
<tr>
<td>2895</td>
<td>Carbon Black</td>
</tr>
<tr>
<td>2899</td>
<td>Chemicals and Chemical Preparations, Not Elsewhere Classified</td>
</tr>
<tr>
<td>2911</td>
<td>Petroleum Refineries</td>
</tr>
<tr>
<td>3952</td>
<td>(Limited to List)-Inks and Paints, including: China Painting Enamels, India Ink, Drawing Ink, Platinum Paints for Burnt Wood or Leather Work, Paints for China Painting; Artist’s Paints, and Artist’s Watercolors</td>
</tr>
</tbody>
</table>

**SECTOR D: ASPHALT PAVING AND ROOFING MATERIALS AND LUBRICANTS**

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description of the Industrial Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>2951</td>
<td>Asphalt Paving Mixtures and Blocks</td>
</tr>
<tr>
<td>2952</td>
<td>Asphalt Felts and Coatings</td>
</tr>
<tr>
<td>2992</td>
<td>Lubricating Oils and Greases</td>
</tr>
<tr>
<td>2999</td>
<td>Products of Petroleum and Coal, Not Elsewhere Classified</td>
</tr>
</tbody>
</table>

**SECTOR E: GLASS, CLAY, CEMENT, CONCRETE, AND GYPSUM PRODUCTS**

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description of the Industrial Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>3211</td>
<td>Flat Glass</td>
</tr>
<tr>
<td>3221</td>
<td>Glass Containers for commercial packing and bottling, and for home canning</td>
</tr>
<tr>
<td>3229</td>
<td>Pressed and Blown Glass and Glassware, Not Elsewhere Classified</td>
</tr>
<tr>
<td>3231</td>
<td>Glass Products, Made of Purchased Glass</td>
</tr>
<tr>
<td>3241</td>
<td>Cement, Hydraulic</td>
</tr>
<tr>
<td>3251</td>
<td>Brick and Structural Clay Tile</td>
</tr>
<tr>
<td>3253</td>
<td>Ceramic Wall and Floor Tile</td>
</tr>
<tr>
<td>3255</td>
<td>Clay Refractories</td>
</tr>
<tr>
<td>3259</td>
<td>Structural Clay Products, Not Elsewhere Classified</td>
</tr>
</tbody>
</table>
### Multi Sector General Permit

#### TPDES General Permit No.TXR050000

**Part II Section A**

#### SIC Code | Description of the Industrial Activity
---|---
| 3261 | Vitreous China Plumbing Fixtures and China and Earthenware Fittings and Bathroom Accessories |
| 3262 | Vitreous China Table and Kitchen Articles |
| 3263 | Fine Earthenware (Whiteware) Table and Kitchen Articles |
| 3264 | Porcelain Electrical Supplies |
| 3269 | Pottery Products, Not Elsewhere Classified |
| 3271 | Concrete Block and Brick |
| 3272 | Concrete Products, Except Block and Brick |
| 3273 | Ready-Mixed Concrete |
| 3274 | Lime |
| 3275 | Gypsum Products |
| 3281 | Cut Stone and Stone Products |
| 3291 | Abrasive Products |
| 3292 | Asbestos Products |
| 3295 | Minerals and Earths, Ground or Otherwise Treated |
| 3296 | Mineral Wool |
| 3297 | Nonclay Refractories |
| 3299 | Nonmetallic Mineral Products, Not Elsewhere Classified |

### SECTOR F: PRIMARY METALS

#### SIC Code | Description of the Industrial Activity
---|---
<p>| 3312 | Steel Works, Blast Furnaces (Including Coke Ovens), and Rolling Mills |
| 3313 | Electrometallurgical Products, Except Steel |
| 3315 | Steel Wiredrawing and Steel Nails and Spikes |
| 3316 | Cold-Rolled Steel Sheet, Strip, and Bars |
| 3317 | Steel Pipe and Tubes |
| 3321 | Gray and Ductile Iron Foundries |
| 3322 | Malleable Iron Foundries |
| 3324 | Steel Investment Foundries |
| 3325 | Steel Foundries, Not Elsewhere Classified |
| 3331 | Primary Smelting and Refining of Copper |
| 3334 | Primary Production of Aluminum |</p>
<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description of the Industrial Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>3339</td>
<td>Primary Smelting and Refining of Nonferrous Metals, Except Copper and Aluminum</td>
</tr>
<tr>
<td>3341</td>
<td>Secondary Smelting and Refining of Nonferrous Metals</td>
</tr>
<tr>
<td>3351</td>
<td>Rolling, Drawing, and Extruding Of Copper</td>
</tr>
<tr>
<td>3353</td>
<td>Aluminum Sheet, Plate, and Foil</td>
</tr>
<tr>
<td>3354</td>
<td>Aluminum Extruded Products</td>
</tr>
<tr>
<td>3355</td>
<td>Aluminum Rolling and Drawing, Not Elsewhere Classified</td>
</tr>
<tr>
<td>3356</td>
<td>Rolling, Drawing, and Extruding of Nonferrous Metals, Except Copper and Aluminum</td>
</tr>
<tr>
<td>3357</td>
<td>Drawing and Insulating of Nonferrous Wire</td>
</tr>
<tr>
<td>3363</td>
<td>Aluminum Die-Castings</td>
</tr>
<tr>
<td>3364</td>
<td>Nonferrous Die-Castings, Except Aluminum</td>
</tr>
<tr>
<td>3365</td>
<td>Aluminum Foundries</td>
</tr>
<tr>
<td>3366</td>
<td>Copper Foundries</td>
</tr>
<tr>
<td>3369</td>
<td>Nonferrous Foundries, Except Aluminum and Copper</td>
</tr>
<tr>
<td>3398</td>
<td>Metal Heat Treating</td>
</tr>
<tr>
<td>3399</td>
<td>Primary Metal Products, Not Elsewhere Classified</td>
</tr>
</tbody>
</table>

**SECTOR G: METAL MINING (ORE MINING AND DRESSING)**

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description of the Industrial Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>1011</td>
<td>Iron Ores</td>
</tr>
<tr>
<td>1021</td>
<td>Copper Ores</td>
</tr>
<tr>
<td>1031</td>
<td>Lead and Zinc Ores</td>
</tr>
<tr>
<td>1041</td>
<td>Gold Ores</td>
</tr>
<tr>
<td>1044</td>
<td>Silver Ores</td>
</tr>
<tr>
<td>1061</td>
<td>Ferroalloy Ores, Except Vanadium</td>
</tr>
<tr>
<td>1081</td>
<td>Metal Mining Services</td>
</tr>
<tr>
<td>1094</td>
<td>Uranium-Radium-Vanadium Ores</td>
</tr>
<tr>
<td>1099</td>
<td>Miscellaneous Metal Ores, Not Elsewhere Classified</td>
</tr>
</tbody>
</table>

**SECTOR H: COAL MINES AND COAL MINING RELATED FACILITIES**

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description of the Industrial Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>1221</td>
<td>Bituminous Coal and Lignite Surface Mining</td>
</tr>
</tbody>
</table>
### SECTOR I: OIL AND GAS EXTRACTION FACILITIES

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description of the Industrial Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>1222</td>
<td>Bituminous Coal Underground Mining</td>
</tr>
<tr>
<td>1231</td>
<td>Anthracite Mining</td>
</tr>
<tr>
<td>1241</td>
<td>Coal Mining Services</td>
</tr>
</tbody>
</table>

**Industrial Activities Regulated under the EPA Region 6 NPDES Program:**

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description of the Industrial Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>1311</td>
<td>Crude Petroleum and Natural Gas</td>
</tr>
<tr>
<td>1321</td>
<td>Natural Gas Liquids</td>
</tr>
<tr>
<td>1381</td>
<td>Drilling Oil and Gas Wells</td>
</tr>
<tr>
<td>1382</td>
<td>Oil and Gas Field Exploration Services</td>
</tr>
</tbody>
</table>
| 1389     | Oil and Gas Field Services, Not Elsewhere Classified (Applies to activities that occur in the field; (other than oil field service company “home base” facilities).)  

**Industrial Activities Regulated under this General Permit:**

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description of the Industrial Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>1389</td>
<td>Oil and Gas Field Services, (applies to activities that do not occur in the field); Not Elsewhere Classified, that occur at a company headquarters, permanent offices, or base of operations, or at oil field service company “home base” facilities).</td>
</tr>
<tr>
<td>SIC Code</td>
<td>Description of the Industrial Activity</td>
</tr>
<tr>
<td>---------</td>
<td>---------------------------------------------------------------</td>
</tr>
<tr>
<td>1481</td>
<td>Nonmetallic Minerals Services, Except Fuels</td>
</tr>
<tr>
<td>1499</td>
<td>Miscellaneous Nonmetallic Minerals, Except Fuels</td>
</tr>
</tbody>
</table>

**SECTOR K: HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES**

<table>
<thead>
<tr>
<th>Activity Code</th>
<th>Description of the Industrial Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>HZ</td>
<td>HZ Hazardous Waste Treatment, Storage, and Disposal Facilities</td>
</tr>
</tbody>
</table>

**SECTOR L: LANDFILLS AND LAND APPLICATION SITES**

<table>
<thead>
<tr>
<th>Activity Code</th>
<th>Description of the Industrial Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>LF</td>
<td>Landfills, Land Application Sites, and Open Dumps that Receive or Have Previously Received Industrial Waste. under subtitle C of RCRA &amp; including those that are subject to regulation under subtitle D of RCRA</td>
</tr>
</tbody>
</table>

**SECTOR M: AUTOMOBILE SALVAGE YARDS**

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description of the Industrial Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>5015</td>
<td>Automobile Salvage Yards</td>
</tr>
</tbody>
</table>

**SECTOR N: SCRAP AND WASTE RECYCLING FACILITIES**

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description of the Industrial Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>5093</td>
<td>Scrap and Waste Recycling Facilities (e.g., metals, paper, plastic, cardboard, glass, animal hides, used oil, antifreeze, mineral spirits, industrial solvents, computers, electronics, and other materials listed in the SIC Code Manual)</td>
</tr>
</tbody>
</table>

**SECTOR O: STEAM ELECTRIC GENERATING FACILITIES**

<table>
<thead>
<tr>
<th>Activity Code</th>
<th>Description of the Industrial Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>SE</td>
<td>Steam Electric Power Generating Facilities</td>
</tr>
</tbody>
</table>
### SECTOR P: LAND TRANSPORTATION AND WAREHOUSING

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description of the Industrial Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>4011</td>
<td>Railroads, Line-Haul Operating</td>
</tr>
<tr>
<td>4013</td>
<td>Railroad Switching and Terminal Establishments</td>
</tr>
<tr>
<td>4111</td>
<td>Local and Suburban Transit</td>
</tr>
<tr>
<td>4119</td>
<td>Local Passenger Transportation, Not Elsewhere Classified</td>
</tr>
<tr>
<td>4121</td>
<td>Taxicabs</td>
</tr>
<tr>
<td>4131</td>
<td>Intercity and Rural Bus Transportation</td>
</tr>
<tr>
<td>4141</td>
<td>Bus charter service, local</td>
</tr>
<tr>
<td>4142</td>
<td>Bus Charter Service, Except Local</td>
</tr>
<tr>
<td>4151</td>
<td>School Buses</td>
</tr>
<tr>
<td>4173</td>
<td>Terminal and Service Facilities for Motor Vehicle Passenger Transportation</td>
</tr>
<tr>
<td>4212</td>
<td>Local Trucking Without Storage</td>
</tr>
<tr>
<td>4213</td>
<td>Trucking, Except Local</td>
</tr>
<tr>
<td>4214</td>
<td>Local Trucking With Storage</td>
</tr>
<tr>
<td>4215</td>
<td>Courier Services, Except by Air</td>
</tr>
<tr>
<td>4221</td>
<td>Farm Product Warehousing and Storage</td>
</tr>
<tr>
<td>4222</td>
<td>Refrigerated Warehousing and Storage</td>
</tr>
<tr>
<td>4225</td>
<td>General Warehousing and Storage</td>
</tr>
<tr>
<td>4226</td>
<td>Special Warehousing and Storage, Not Elsewhere Classified</td>
</tr>
<tr>
<td>4231</td>
<td>Terminal and Joint Terminal Maintenance Facilities for Motor Freight Transportation</td>
</tr>
<tr>
<td>4311</td>
<td>United States Postal Service</td>
</tr>
<tr>
<td>5171</td>
<td>Petroleum Bulk stations and Terminals primarily engaged in the wholesale distribution of crude petroleum and petroleum products, including liquefied petroleum gas, from bulk liquid storage facilities</td>
</tr>
</tbody>
</table>

### SECTOR Q: WATER TRANSPORTATION

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description of the Industrial Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>4412</td>
<td>Deep Sea Foreign Transportation of Freight</td>
</tr>
<tr>
<td>4424</td>
<td>Deep Sea Domestic Transportation of Freight</td>
</tr>
<tr>
<td>4449</td>
<td>Water Transportation of Freight, Not Elsewhere Classified</td>
</tr>
<tr>
<td>4481</td>
<td>Deep Sea Transportation of Passengers, Except by Ferry</td>
</tr>
</tbody>
</table>
### SECTOR R: SHIP AND BOAT BUILDING OR REPAIRING YARDS

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description of the Industrial Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>3731</td>
<td>Ship Building and Repairing</td>
</tr>
<tr>
<td>3732</td>
<td>Boat Building and Repairing</td>
</tr>
</tbody>
</table>

### SECTOR S: AIR TRANSPORTATION

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description of the Industrial Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>4512</td>
<td>Air Transportation, Scheduled</td>
</tr>
<tr>
<td>4513</td>
<td>Air Courier Services</td>
</tr>
<tr>
<td>4522</td>
<td>Air Transportation, Nonscheduled</td>
</tr>
<tr>
<td>4581</td>
<td>Airports, Flying Fields, and Airport Terminal Services</td>
</tr>
</tbody>
</table>

### SECTOR T: TREATMENT WORKS

<table>
<thead>
<tr>
<th>Activity Code</th>
<th>Description of the Industrial Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>TW</td>
<td>TW Certain Wastewater Treatment Plants</td>
</tr>
</tbody>
</table>

### SECTOR U: FOOD AND KINDRED PRODUCTS FACILITIES

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description of the Industrial Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011</td>
<td>Meat Packing Plants</td>
</tr>
<tr>
<td>2013</td>
<td>Sausages and Other Prepared Meat Products</td>
</tr>
<tr>
<td>2015</td>
<td>Poultry Slaughtering and Processing</td>
</tr>
<tr>
<td>2021</td>
<td>Creamery Butter</td>
</tr>
<tr>
<td>2022</td>
<td>Natural, Processed, and Imitation Cheese</td>
</tr>
<tr>
<td>SIC Code</td>
<td>Description of the Industrial Activity</td>
</tr>
<tr>
<td>----------</td>
<td>--------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>2023</td>
<td>Dry, Condensed, and Evaporated Dairy Products</td>
</tr>
<tr>
<td>2024</td>
<td>Ice Cream and Frozen Desserts</td>
</tr>
<tr>
<td>2026</td>
<td>Fluid Milk</td>
</tr>
<tr>
<td>2032</td>
<td>Canned Specialties</td>
</tr>
<tr>
<td>2033</td>
<td>Canned Fruits, Vegetables, Preserves, Jams, and Jellies</td>
</tr>
<tr>
<td>2034</td>
<td>Dried and Dehydrated Fruits, Vegetables, and Soup Mixes</td>
</tr>
<tr>
<td>2035</td>
<td>Pickled Fruits and Vegetables, Vegetable Sauces and Seasonings, and Salad Dressing</td>
</tr>
<tr>
<td>2037</td>
<td>Frozen Fruits, Fruit Juices, and Vegetables</td>
</tr>
<tr>
<td>2038</td>
<td>Frozen Specialties, Not Elsewhere Classified</td>
</tr>
<tr>
<td>2041</td>
<td>Flour and Other Grain Mill Products</td>
</tr>
<tr>
<td>2043</td>
<td>Cereal Breakfast Foods</td>
</tr>
<tr>
<td>2044</td>
<td>Rice Milling</td>
</tr>
<tr>
<td>2045</td>
<td>Prepared Flour Mixes and Doughs</td>
</tr>
<tr>
<td>2046</td>
<td>Wet Corn Milling</td>
</tr>
<tr>
<td>2047</td>
<td>Dog and Cat Food</td>
</tr>
<tr>
<td>2048</td>
<td>Prepared Feed and Feed Ingredients for Animals and Fowls, Except Dogs and Cats</td>
</tr>
<tr>
<td>2051</td>
<td>Bread and Other Bakery Products, Except Cookies and Crackers</td>
</tr>
<tr>
<td>2052</td>
<td>Cookies and Crackers</td>
</tr>
<tr>
<td>2053</td>
<td>Frozen Bakery Products, Except Bread</td>
</tr>
<tr>
<td>2061</td>
<td>Cane Sugar, Except Refining</td>
</tr>
<tr>
<td>2062</td>
<td>Cane Sugar Refining</td>
</tr>
<tr>
<td>2063</td>
<td>Beet Sugar</td>
</tr>
<tr>
<td>2064</td>
<td>Candy and Other Confectionery Products</td>
</tr>
<tr>
<td>2066</td>
<td>Chocolate and Cocoa Products</td>
</tr>
<tr>
<td>2067</td>
<td>Chewing Gum</td>
</tr>
<tr>
<td>2068</td>
<td>Salted and Roasted Nuts and Seeds</td>
</tr>
<tr>
<td>2074</td>
<td>Cottonseed Oil Mills</td>
</tr>
<tr>
<td>2075</td>
<td>Soybean Oil Mills</td>
</tr>
<tr>
<td>2076</td>
<td>Vegetable Oil Mills, Except Corn, Cottonseed, and Soybean</td>
</tr>
<tr>
<td>2077</td>
<td>Animal and Marine Fats and Oils</td>
</tr>
<tr>
<td>2079</td>
<td>Shortening, Table Oils, Margarine, and Other Edible Fats and Oils, Not Elsewhere Classified</td>
</tr>
</tbody>
</table>
### SECTOR V: TEXTILE MILLS, APPAREL, AND OTHER FABRIC PRODUCT MANUFACTURING FACILITIES

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description of the Industrial Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>2211</td>
<td>Broadwoven Fabric Mills, Cotton</td>
</tr>
<tr>
<td>2221</td>
<td>Broadwoven Fabric Mills, Manmade Fiber and Silk</td>
</tr>
<tr>
<td>2231</td>
<td>Broadwoven Fabric Mills, Wool (Including Dyeing and Finishing)</td>
</tr>
<tr>
<td>2241</td>
<td>Narrow Fabric and Other Smallware Mills: Cotton, Wool, Silk, and Manmade Fiber</td>
</tr>
<tr>
<td>2251</td>
<td>Women's Full-Length and Knee-Length Hosiery, Except Socks</td>
</tr>
<tr>
<td>2252</td>
<td>Hosiery, Not Elsewhere Classified</td>
</tr>
<tr>
<td>2253</td>
<td>Knit Outerwear Mills</td>
</tr>
<tr>
<td>2254</td>
<td>Knit Underwear and Nightwear Mills</td>
</tr>
<tr>
<td>2257</td>
<td>Weft Knit Fabric Mills</td>
</tr>
<tr>
<td>2258</td>
<td>Lace and Warp Knit Fabric Mills</td>
</tr>
<tr>
<td>SIC Code</td>
<td>Description of the Industrial Activity</td>
</tr>
<tr>
<td>----------</td>
<td>----------------------------------------</td>
</tr>
<tr>
<td>2259</td>
<td>Knitting Mills, Not Elsewhere Classified</td>
</tr>
<tr>
<td>2261</td>
<td>Finishers of Broadwoven Fabrics of Cotton</td>
</tr>
<tr>
<td>2262</td>
<td>Finishers of Broadwoven Fabrics of Manmade Fiber and Silk</td>
</tr>
<tr>
<td>2269</td>
<td>Finishers of Textiles, Not elsewhere Classified</td>
</tr>
<tr>
<td>2273</td>
<td>Carpets and Rugs</td>
</tr>
<tr>
<td>2281</td>
<td>Yarn Spinning Mills</td>
</tr>
<tr>
<td>2282</td>
<td>Yarn Texturizing, Throwing, Twisting, and Winding Mills</td>
</tr>
<tr>
<td>2284</td>
<td>Thread Mills</td>
</tr>
<tr>
<td>2295</td>
<td>Coated Fabrics, Not Rubberized</td>
</tr>
<tr>
<td>2296</td>
<td>Tire Cord and Fabrics</td>
</tr>
<tr>
<td>2297</td>
<td>Non-woven Fabrics</td>
</tr>
<tr>
<td>2298</td>
<td>Cordage and Twine</td>
</tr>
<tr>
<td>2299</td>
<td>Textile goods, Not Elsewhere Classified</td>
</tr>
<tr>
<td>2311</td>
<td>Men's and Boys' Suits, Coats, and Overcoats</td>
</tr>
<tr>
<td>2321</td>
<td>Men's and Boys' Shirts, Except Work Shirts</td>
</tr>
<tr>
<td>2322</td>
<td>Men's and Boys' Underwear and Nightwear</td>
</tr>
<tr>
<td>2323</td>
<td>Men's and Boys' Neckwear</td>
</tr>
<tr>
<td>2325</td>
<td>Men's and Boys' Separate Trousers and Slacks</td>
</tr>
<tr>
<td>2326</td>
<td>Men's and Boys' Work Clothing</td>
</tr>
<tr>
<td>2329</td>
<td>Men's and Boys' Clothing, Not Elsewhere Classified</td>
</tr>
<tr>
<td>2331</td>
<td>Women's, Misses', and Juniors' Blouses and Shirts</td>
</tr>
<tr>
<td>2335</td>
<td>Women's, Misses', and Juniors' Dresses</td>
</tr>
<tr>
<td>2337</td>
<td>Women's, Misses', and Juniors' Suits, Skirts, and Coats</td>
</tr>
<tr>
<td>2339</td>
<td>Women's, Misses', and Juniors' Outerwear, Not Elsewhere Classified</td>
</tr>
<tr>
<td>2341</td>
<td>Women's, Misses', Children's, and Infants' Underwear and Nightwear</td>
</tr>
<tr>
<td>2342</td>
<td>Brassieres, Girdles, and Allied Garments</td>
</tr>
<tr>
<td>2353</td>
<td>Hats, Caps, and Millinery</td>
</tr>
<tr>
<td>2361</td>
<td>Girls', Children's, and Infants' Dresses, Blouses, and Shirts</td>
</tr>
<tr>
<td>2369</td>
<td>Girls', Children's, and Infants' Outerwear, Not Elsewhere Classified</td>
</tr>
<tr>
<td>2371</td>
<td>Fur Goods</td>
</tr>
<tr>
<td>2381</td>
<td>Dress and Work Gloves, Except Knit and All-Leather</td>
</tr>
<tr>
<td>2384</td>
<td>Robes and Dressing Gowns</td>
</tr>
</tbody>
</table>
### Multi Sector General Permit TPDES General Permit No.TXR050000 Part II Section A

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description of the Industrial Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>2385</td>
<td>Waterproof Outerwear</td>
</tr>
<tr>
<td>2386</td>
<td>Leather and Sheep-Lined Clothing</td>
</tr>
<tr>
<td>2387</td>
<td>Apparel belts</td>
</tr>
<tr>
<td>2389</td>
<td>Apparel and Accessories, Not Elsewhere Classified</td>
</tr>
<tr>
<td>2391</td>
<td>Curtains and Draperies</td>
</tr>
<tr>
<td>2392</td>
<td>House furnishing, Except Curtains and Draperies</td>
</tr>
<tr>
<td>2393</td>
<td>Textile Bags</td>
</tr>
<tr>
<td>2394</td>
<td>Canvas and Related Products</td>
</tr>
<tr>
<td>2395</td>
<td>Pleating, Decorative and Novelty Stitching, and Tucking for the Trade</td>
</tr>
<tr>
<td>2396</td>
<td>Automotive Trimmings, Apparel Findings, and Related Products</td>
</tr>
<tr>
<td>2397</td>
<td>Schiffli Machine Embroiderries</td>
</tr>
<tr>
<td>2399</td>
<td>Fabricated Textile Products, Not Elsewhere Classified</td>
</tr>
<tr>
<td>3131</td>
<td>Boot and Shoe Cut Stock and Findings</td>
</tr>
<tr>
<td>3142</td>
<td>House Slippers</td>
</tr>
<tr>
<td>3143</td>
<td>Men's Footwear, Except Athletic</td>
</tr>
<tr>
<td>3144</td>
<td>Women's Footwear, Except Athletic</td>
</tr>
<tr>
<td>3149</td>
<td>Footwear, Except Rubber, Not Elsewhere Classified</td>
</tr>
<tr>
<td>3151</td>
<td>Leather Gloves and Mittens</td>
</tr>
<tr>
<td>3161</td>
<td>Luggage</td>
</tr>
<tr>
<td>3171</td>
<td>Women's Handbags and Purses</td>
</tr>
<tr>
<td>3172</td>
<td>Personal Leather Goods, Except Women's Handbags and Purses</td>
</tr>
<tr>
<td>3199</td>
<td>Leather Goods, Not Elsewhere Classified</td>
</tr>
</tbody>
</table>

### SECTOR W: FURNITURE AND FIXTURES

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description of the Industrial Activity</th>
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<tbody>
<tr>
<td>2434</td>
<td>Wood Kitchen Cabinets</td>
</tr>
<tr>
<td>2511</td>
<td>Wood Household Furniture, Except Upholstered</td>
</tr>
<tr>
<td>2512</td>
<td>Wood Household Furniture, Upholstered</td>
</tr>
<tr>
<td>2514</td>
<td>Metal Household Furniture</td>
</tr>
<tr>
<td>2115</td>
<td>Mattresses, Foundations, and Convertible Beds</td>
</tr>
<tr>
<td>2517</td>
<td>Wood Television, Radio, Phonograph, and Sewing Machine Cabinets</td>
</tr>
<tr>
<td>2519</td>
<td>Household Furniture, Not Elsewhere Classified</td>
</tr>
<tr>
<td>2521</td>
<td>Wood Office Furniture</td>
</tr>
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</table>
**SECTOR X: PRINTING AND PUBLISHING**

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description of the Industrial Activity</th>
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<tbody>
<tr>
<td>2711</td>
<td>Newspapers: Publishing, or Publishing and Printing</td>
</tr>
<tr>
<td>2721</td>
<td>Periodicals: Publishing, or Publishing and Printing</td>
</tr>
<tr>
<td>2731</td>
<td>Books: Publishing, or Publishing and Printing</td>
</tr>
<tr>
<td>2732</td>
<td>Book Printing</td>
</tr>
<tr>
<td>2741</td>
<td>Miscellaneous Publishing</td>
</tr>
<tr>
<td>2752</td>
<td>Commercial Printing, Lithographic</td>
</tr>
<tr>
<td>2754</td>
<td>Commercial Printing, Gravure</td>
</tr>
<tr>
<td>2759</td>
<td>Commercial Printing, Not Elsewhere Classified</td>
</tr>
<tr>
<td>2761</td>
<td>Manifold Business Forms</td>
</tr>
<tr>
<td>2771</td>
<td>Greeting Cards</td>
</tr>
<tr>
<td>2782</td>
<td>Blankbooks, Looseleaf Binders and Devices</td>
</tr>
<tr>
<td>2789</td>
<td>Bookbinding and Related Work</td>
</tr>
<tr>
<td>2791</td>
<td>Typesetting</td>
</tr>
<tr>
<td>2796</td>
<td>Platemaking and Related Services</td>
</tr>
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</table>
## Sector Y: Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Facilities

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description of the Industrial Activity</th>
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</thead>
<tbody>
<tr>
<td>3011</td>
<td>Tires and Inner Tubes</td>
</tr>
<tr>
<td>3021</td>
<td>Rubber and Plastics Footwear</td>
</tr>
<tr>
<td>3052</td>
<td>Rubber and Plastics Hose and Belting</td>
</tr>
<tr>
<td>3053</td>
<td>Gaskets, Packing, and Sealing Devices</td>
</tr>
<tr>
<td>3061</td>
<td>Molded, Extruded, and Lathe-Cut Mechanical Rubber Goods</td>
</tr>
<tr>
<td>3069</td>
<td>Fabricated Rubber Products, Not Elsewhere Classified</td>
</tr>
<tr>
<td>3081</td>
<td>Unsupported Plastics Film and Sheet</td>
</tr>
<tr>
<td>3082</td>
<td>Unsupported Plastics Profile Shapes</td>
</tr>
<tr>
<td>3083</td>
<td>Laminated Plastics Plate, Sheet, and Profile Shapes</td>
</tr>
<tr>
<td>3084</td>
<td>Plastics Pipe</td>
</tr>
<tr>
<td>3085</td>
<td>Plastics Bottles</td>
</tr>
<tr>
<td>3086</td>
<td>Plastics Foam Products</td>
</tr>
<tr>
<td>3087</td>
<td>Custom Compounding of Purchased Plastics Resins</td>
</tr>
<tr>
<td>3088</td>
<td>Plastics Plumbing Fixtures</td>
</tr>
<tr>
<td>3089</td>
<td>Plastics Products, Not Elsewhere Classified</td>
</tr>
<tr>
<td>3931</td>
<td>Musical Instruments</td>
</tr>
<tr>
<td>3942</td>
<td>Dolls and Stuffed Toys</td>
</tr>
<tr>
<td>3944</td>
<td>Games, Toys, and Children’s Vehicles, Except Dolls and Bicycles</td>
</tr>
<tr>
<td>3949</td>
<td>Sporting and Athletic Goods, Not Elsewhere Classified</td>
</tr>
<tr>
<td>3951</td>
<td>Pens, Mechanical Pencils, and Parts</td>
</tr>
<tr>
<td>3953</td>
<td>Marking Devices</td>
</tr>
<tr>
<td>3955</td>
<td>Carbon Paper and Inked Ribbons</td>
</tr>
<tr>
<td>3961</td>
<td>Costume Jewelry and Costume Novelties, Except Precious Metal</td>
</tr>
<tr>
<td>3965</td>
<td>Fasteners, Buttons, Needles, and Pins</td>
</tr>
<tr>
<td>3991</td>
<td>Brooms and Brushes</td>
</tr>
<tr>
<td>3993</td>
<td>Signs and Advertising Specialties</td>
</tr>
<tr>
<td>3995</td>
<td>Burial Caskets</td>
</tr>
<tr>
<td>3996</td>
<td>Linoleum, Asphalited-Felt-Base, and Other Hard Surface Floor Coverings, Not Elsewhere Classified</td>
</tr>
<tr>
<td>3999</td>
<td>Manufacturing Industries, Not Elsewhere Classified</td>
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</table>
## SECTOR Z: LEATHER TANNING AND FINISHING

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description of the Industrial Activity</th>
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</thead>
<tbody>
<tr>
<td>3111</td>
<td>Leather Tanning and Finishing</td>
</tr>
</tbody>
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## SECTOR AA: FABRICATED METAL PRODUCTS FACILITIES

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description of the Industrial Activity</th>
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<tbody>
<tr>
<td>3411</td>
<td>Metal Cans</td>
</tr>
<tr>
<td>3412</td>
<td>Metal Shipping Barrels, Drums, Kegs, and Pails</td>
</tr>
<tr>
<td>3421</td>
<td>Cutlery</td>
</tr>
<tr>
<td>3423</td>
<td>Hand and Edge Tools, Except Machine Tools and Handsaws</td>
</tr>
<tr>
<td>3425</td>
<td>Saw Blades and Handsaws</td>
</tr>
<tr>
<td>3429</td>
<td>Hardware, Not Elsewhere Classified</td>
</tr>
<tr>
<td>3431</td>
<td>Enameled Iron and Metal Sanitary Ware</td>
</tr>
<tr>
<td>3432</td>
<td>Plumbing Fixture Fittings and Trim</td>
</tr>
<tr>
<td>3433</td>
<td>Heating Equipment, Except Electric and Warm Air Furnaces</td>
</tr>
<tr>
<td>3441</td>
<td>Fabricated Structural Metal</td>
</tr>
<tr>
<td>3442</td>
<td>Metal Doors, Sash, Frames, Molding, and Trim Manufacturing</td>
</tr>
<tr>
<td>3443</td>
<td>Fabricated Plate Work (Boiler Shops)</td>
</tr>
<tr>
<td>3444</td>
<td>Sheet Metal Work</td>
</tr>
<tr>
<td>3446</td>
<td>Architectural and Ornamental Metal Work</td>
</tr>
<tr>
<td>3448</td>
<td>Prefabricated Metal Buildings and Components</td>
</tr>
<tr>
<td>3449</td>
<td>Miscellaneous Structural Metal Work</td>
</tr>
<tr>
<td>3451</td>
<td>Screw Machine Products</td>
</tr>
<tr>
<td>3452</td>
<td>Bolts, Nuts, Screws, Rivets, and Washers</td>
</tr>
<tr>
<td>3462</td>
<td>Iron and Steel Forgings</td>
</tr>
<tr>
<td>3463</td>
<td>Nonferrous Forgings</td>
</tr>
<tr>
<td>3465</td>
<td>Automotive Stampings</td>
</tr>
<tr>
<td>3466</td>
<td>Crowns and Closures</td>
</tr>
<tr>
<td>3469</td>
<td>Metal Stampings, Not Elsewhere Classified</td>
</tr>
<tr>
<td>3471</td>
<td>Electroplating, Plating, Polishing, Anodizing, and Coloring</td>
</tr>
<tr>
<td>3479</td>
<td>Coating, Engraving, and Allied Services, Not Elsewhere Classified</td>
</tr>
<tr>
<td>3482</td>
<td>Small Arms Ammunition</td>
</tr>
<tr>
<td>SIC Code</td>
<td>Description of the Industrial Activity</td>
</tr>
<tr>
<td>----------</td>
<td>------------------------------------------------------------</td>
</tr>
<tr>
<td>3483</td>
<td>Ammunition, Except for Small Arms</td>
</tr>
<tr>
<td>3484</td>
<td>Small Arms Manufacturing</td>
</tr>
<tr>
<td>3489</td>
<td>Ordnance and Accessories, Not Elsewhere Classified</td>
</tr>
<tr>
<td>3491</td>
<td>Industrial Valves</td>
</tr>
<tr>
<td>3492</td>
<td>Fluid Power Valves and Hose Fittings</td>
</tr>
<tr>
<td>3493</td>
<td>Steel Springs, Except Wire</td>
</tr>
<tr>
<td>3494</td>
<td>Valves and Pipe Fittings, Not Elsewhere Classified</td>
</tr>
<tr>
<td>3495</td>
<td>Wire Springs</td>
</tr>
<tr>
<td>3496</td>
<td>Miscellaneous Fabricated Wire Products</td>
</tr>
<tr>
<td>3497</td>
<td>Metal Foil and Leaf</td>
</tr>
<tr>
<td>3498</td>
<td>Fabricated Pipe and Pipe Fittings</td>
</tr>
<tr>
<td>3499</td>
<td>Fabricated Metal Products, Not Elsewhere Classified</td>
</tr>
<tr>
<td>3911</td>
<td>Jewelry, Precious Metal</td>
</tr>
<tr>
<td>3914</td>
<td>Silverware, Plated Ware, and Stainless Steel Ware</td>
</tr>
<tr>
<td>3915</td>
<td>Jewelers' Findings and Materials, and Lapidary Work</td>
</tr>
</tbody>
</table>

**SECTOR AB: TRANSPORTATION EQUIPMENT, INDUSTRIAL OR COMMERCIAL MACHINERY MANUFACTURING FACILITIES**

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description of the Industrial Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>3511</td>
<td>Steam, Gas, and Hydraulic Turbines, and Turbine Generator Set Units</td>
</tr>
<tr>
<td>3519</td>
<td>Internal Combustion Engines, Not Elsewhere Classified</td>
</tr>
<tr>
<td>3523</td>
<td>Farm Machinery and Equipment</td>
</tr>
<tr>
<td>3524</td>
<td>Lawn and Garden Tractors and Home Lawn and Garden Equipment</td>
</tr>
<tr>
<td>3531</td>
<td>Construction Machinery and Equipment</td>
</tr>
<tr>
<td>3532</td>
<td>Mining Machinery and Equipment, Except Oil and Gas Field Machinery and Equipment</td>
</tr>
<tr>
<td>3533</td>
<td>Oil and Gas Field Machinery and Equipment</td>
</tr>
<tr>
<td>3534</td>
<td>Elevators and Moving Stairways</td>
</tr>
<tr>
<td>3535</td>
<td>Conveyors and Conveying Equipment</td>
</tr>
<tr>
<td>3536</td>
<td>Overhead Traveling Cranes, Hoists, and Monorail Systems</td>
</tr>
<tr>
<td>3537</td>
<td>Industrial Trucks, Tractors, Trailers, and Stackers</td>
</tr>
<tr>
<td>3541</td>
<td>Machine Tools, Metal Cutting Types</td>
</tr>
<tr>
<td>3542</td>
<td>Machine Tools, Metal Forming Types</td>
</tr>
<tr>
<td>SIC Code</td>
<td>Description of the Industrial Activity</td>
</tr>
<tr>
<td>----------</td>
<td>---------------------------------------</td>
</tr>
<tr>
<td>3543</td>
<td>Industrial Patterns</td>
</tr>
<tr>
<td>3544</td>
<td>Special Dies and Tools, Die Sets, Jigs and Fixtures, and Industrial Molds</td>
</tr>
<tr>
<td>3545</td>
<td>Cutting Tools, Machine Tool Accessories, and Machinists’ Precision Measuring Devices</td>
</tr>
<tr>
<td>3546</td>
<td>Power-Driven Hand tools</td>
</tr>
<tr>
<td>3547</td>
<td>Rolling Mill Machinery and Equipment</td>
</tr>
<tr>
<td>3548</td>
<td>Electric and Gas Welding and Soldering Equipment</td>
</tr>
<tr>
<td>3549</td>
<td>Metalworking Machinery, Not Elsewhere Classified</td>
</tr>
<tr>
<td>3552</td>
<td>Textile Machinery</td>
</tr>
<tr>
<td>3553</td>
<td>Woodworking Machinery</td>
</tr>
<tr>
<td>3554</td>
<td>Paper Industries Machinery</td>
</tr>
<tr>
<td>3555</td>
<td>Printing Trades Machinery and Equipment</td>
</tr>
<tr>
<td>3556</td>
<td>Food Products Machinery</td>
</tr>
<tr>
<td>3559</td>
<td>Special Industry Machinery, Not Elsewhere Classified</td>
</tr>
<tr>
<td>3561</td>
<td>Pumps and Pumping Equipment</td>
</tr>
<tr>
<td>3562</td>
<td>Ball and Roller Bearings</td>
</tr>
<tr>
<td>3563</td>
<td>Air and Gas Compressors</td>
</tr>
<tr>
<td>3564</td>
<td>Industrial and Commercial Fans and Blowers and Air Purification Equipment</td>
</tr>
<tr>
<td>3565</td>
<td>Packaging Machinery</td>
</tr>
<tr>
<td>3566</td>
<td>Speed Changers, Industrial High-Speed Drives, and Gears</td>
</tr>
<tr>
<td>3567</td>
<td>Industrial Process Furnaces and Ovens</td>
</tr>
<tr>
<td>3568</td>
<td>Mechanical Power Transmission Equipment, Not Elsewhere Classified</td>
</tr>
<tr>
<td>3569</td>
<td>General Industrial Machinery and Equipment, Not Elsewhere</td>
</tr>
<tr>
<td>3581</td>
<td>Automatic Vending Machines</td>
</tr>
<tr>
<td>3582</td>
<td>Commercial Laundry, Drycleaning, and Pressing Machines</td>
</tr>
<tr>
<td>3585</td>
<td>Air-Conditioning and Warm Air Heating Equipment and Commercial and Industrial Refrigeration Equipment</td>
</tr>
<tr>
<td>3586</td>
<td>Measuring and Dispensing Pumps</td>
</tr>
<tr>
<td>3589</td>
<td>Service Industry Machinery, Not Elsewhere Classified</td>
</tr>
<tr>
<td>3592</td>
<td>Carburetors, Pistons, Piston Rings, and Valves</td>
</tr>
<tr>
<td>3593</td>
<td>Fluid Power Cylinders and Actuators</td>
</tr>
<tr>
<td>3594</td>
<td>Fluid Power Pumps and Motors</td>
</tr>
<tr>
<td>3596</td>
<td>Scales and Balances, Except Laboratory</td>
</tr>
<tr>
<td>SIC Code</td>
<td>Description of the Industrial Activity</td>
</tr>
<tr>
<td>---------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>3599</td>
<td>Industrial and Commercial Machinery and Equipment, Not Elsewhere Classified</td>
</tr>
<tr>
<td>3711</td>
<td>Motor Vehicles and Passenger Car Bodies</td>
</tr>
<tr>
<td>3713</td>
<td>Truck and Bus Bodies</td>
</tr>
<tr>
<td>3714</td>
<td>Motor Vehicle Parts and Accessories</td>
</tr>
<tr>
<td>3715</td>
<td>Truck Trailers</td>
</tr>
<tr>
<td>3716</td>
<td>Motor Homes</td>
</tr>
<tr>
<td>3721</td>
<td>Aircraft</td>
</tr>
<tr>
<td>3724</td>
<td>Aircraft Engines and Engine Parts</td>
</tr>
<tr>
<td>3728</td>
<td>Aircraft Parts and Auxiliary Equipment, Not Elsewhere Classified</td>
</tr>
<tr>
<td>3743</td>
<td>Railroad Equipment</td>
</tr>
<tr>
<td>3751</td>
<td>Motorcycles, Bicycles, and Parts</td>
</tr>
<tr>
<td>3761</td>
<td>Guided Missiles and Space Vehicles</td>
</tr>
<tr>
<td>3764</td>
<td>Guided Missile and Space Vehicle Propulsion Units and Propulsion Unit Parts</td>
</tr>
<tr>
<td>3769</td>
<td>Guided Missile Space Vehicle Parts and Auxiliary Equipment, Not Elsewhere Classified</td>
</tr>
<tr>
<td>3792</td>
<td>Travel Trailers and Campers</td>
</tr>
<tr>
<td>3795</td>
<td>Tanks and Tank Components</td>
</tr>
<tr>
<td>3799</td>
<td>Transportation Equipment, Not Elsewhere Classified</td>
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</tbody>
</table>

**SECTOR AC: ELECTRONIC, ELECTRICAL, PHOTOGRAPHIC, AND OPTICAL GOODS**

<table>
<thead>
<tr>
<th>SIC Code</th>
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<td>3571</td>
<td>Electronic Computers</td>
</tr>
<tr>
<td>3572</td>
<td>Computer Storage Devices</td>
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<tr>
<td>3575</td>
<td>Computer Terminals</td>
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<tr>
<td>3577</td>
<td>Computer Peripheral Equipment, Not Elsewhere Classified</td>
</tr>
<tr>
<td>3578</td>
<td>Calculating and Accounting Machines, Except Electronic Computers</td>
</tr>
<tr>
<td>3579</td>
<td>Office Machines, Not Elsewhere Classified</td>
</tr>
<tr>
<td>3612</td>
<td>Power, Distribution, and Specialty Transformers</td>
</tr>
<tr>
<td>3613</td>
<td>Switchgear and Switchboard Apparatus</td>
</tr>
<tr>
<td>3621</td>
<td>Motors and Generators</td>
</tr>
<tr>
<td>SIC Code</td>
<td>Description of the Industrial Activity</td>
</tr>
<tr>
<td>----------</td>
<td>--------------------------------------------------------------------------</td>
</tr>
<tr>
<td>3624</td>
<td>Carbon and Graphite Products</td>
</tr>
<tr>
<td>3625</td>
<td>Relays and Industrial Controls</td>
</tr>
<tr>
<td>3629</td>
<td>Electrical Industrial Apparatus, Not Elsewhere Classified</td>
</tr>
<tr>
<td>3631</td>
<td>Household Cooking Equipment</td>
</tr>
<tr>
<td>3632</td>
<td>Household Refrigerators and Home and Farm Freezers</td>
</tr>
<tr>
<td>3633</td>
<td>Household Laundry Equipment</td>
</tr>
<tr>
<td>3634</td>
<td>Electric Housewares and Fans</td>
</tr>
<tr>
<td>3635</td>
<td>Household Vacuum Cleaners</td>
</tr>
<tr>
<td>3639</td>
<td>Household Appliances, Not Elsewhere Classified</td>
</tr>
<tr>
<td>3641</td>
<td>Electric Lamp Bulbs and Tubes</td>
</tr>
<tr>
<td>3643</td>
<td>Current-Carrying Wiring Devices</td>
</tr>
<tr>
<td>3644</td>
<td>Noncurrent-Carrying Wiring Devices</td>
</tr>
<tr>
<td>3645</td>
<td>Residential Electric Lighting Fixtures</td>
</tr>
<tr>
<td>3646</td>
<td>Commercial, Industrial, and Institutional Electric Lighting Fixtures</td>
</tr>
<tr>
<td>3647</td>
<td>Vehicular Lighting Equipment</td>
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<tr>
<td>3648</td>
<td>Lighting Equipment, Not Elsewhere Classified</td>
</tr>
<tr>
<td>3651</td>
<td>Household Audio and Video Equipment</td>
</tr>
<tr>
<td>3652</td>
<td>Phonograph Records and Prerecorded Audio Tapes and Disks</td>
</tr>
<tr>
<td>3661</td>
<td>Telephone and Telegraph Apparatus</td>
</tr>
<tr>
<td>3663</td>
<td>Radio and Television Broadcasting and Communications Equipment</td>
</tr>
<tr>
<td>3669</td>
<td>Communications Equipment, Not Elsewhere Classified</td>
</tr>
<tr>
<td>3671</td>
<td>Electron Tubes</td>
</tr>
<tr>
<td>3672</td>
<td>Printed Circuit Boards</td>
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<tr>
<td>3674</td>
<td>Semiconductors and Related Devices</td>
</tr>
<tr>
<td>3675</td>
<td>Electronic Capacitors</td>
</tr>
<tr>
<td>3676</td>
<td>Electronic Resistors</td>
</tr>
<tr>
<td>3677</td>
<td>Electronic Coils, Transformers, and Other Inductors</td>
</tr>
<tr>
<td>3678</td>
<td>Electronic Connectors</td>
</tr>
<tr>
<td>3679</td>
<td>Electronic Components, Not Elsewhere Classified</td>
</tr>
<tr>
<td>3691</td>
<td>Storage Batteries</td>
</tr>
<tr>
<td>3692</td>
<td>Primary Batteries, Dry and Wet</td>
</tr>
<tr>
<td>3694</td>
<td>Electrical Equipment for Internal Combustion Engines</td>
</tr>
<tr>
<td>3695</td>
<td>Magnetic and Optical Recording Media</td>
</tr>
<tr>
<td>SIC Code</td>
<td>Description of the Industrial Activity</td>
</tr>
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**SECTOR AD: MISCELLANEOUS INDUSTRIAL ACTIVITIES**

*Activity Codes and Description of Industry*

Limited to facilities that are designated by the executive director as needing a permit to control pollution related to stormwater discharges and that do not meet the description of an industrial activity covered by Sectors A-AC

2. **Miscellaneous Industrial Activities**

Sector AD is used to provide permit coverage for facilities that are designated by the executive director as needing a permit to control pollution related to stormwater discharges and do not meet the description of an industrial activity covered by Sectors A through AC. A facility that is not otherwise listed in Part V of this general permit is not eligible to apply for coverage under Sector AD, unless directed to do so in writing by the executive director.
3. **Co-located Industrial Activities**

A facility operator is required to either obtain authorization under this general permit, under an individual TPDES stormwater permit, or under an alternative general permit if the facility meets one or more of the criteria listed in Part II, Section A.1.(a) above. If these facilities have additional activities that are described by a secondary SIC code that is listed in the table above, then these additional activities are described as co-located industrial activities. Stormwater discharges from co-located industrial activities may be authorized under this general permit provided that the operator complies with all of the sector specific requirements defined in Part V of this general permit for each of these co-located activities. The sector specific requirements apply only to the portion of the facility where that specific sector of activity occurs, except where runoff from different activities combines before leaving the property. In cases where these discharges combine, the monitoring requirements and effluent limitations from each sector that contributes runoff to the discharge must be met.

4. **Co-located Industrial Facilities**

A facility operator is required to either obtain authorization under this general permit, under an individual TPDES stormwater permit, or under an alternative general permit if the facility meets one or more of the criteria in Part II, Section A.1.(a) above. Multiple industrial facilities may be described as “co-located” if they share a common property boundary. If authorization under this general permit is sought, the operator of each of co-located facility must individually obtain authorization to discharge under this general permit.

Each co-located facility will be issued a distinct authorization number. Each co-located industrial facility operator may either develop a separate stormwater pollution prevention plan (SWP3 or plan), or may participate in a shared SWP3. Co-located industrial facilities that develop a shared SWP3 must develop the SWP3 to meet the requirements stated in Parts III and V of this general permit, in addition to the following:

(a) **Participants.** The SWP3 must clearly list the name and authorization number (when known) for each facility that participates in the shared SWP3. Each participant in the shared plan must sign the SWP3 according to 30 TAC §305.128 (relating to Signatories to Reports.)

(b) **Responsibilities.** The SWP3 must clearly indicate which permittee is responsible for performing each shared element of the SWP3. If the responsibility for performing an element is not described in the plan, then each permittee is entirely responsible for performing the element within the boundaries of its facility and in any common or shared area. The SWP3 must clearly describe responsibilities for meeting each element in shared or common areas.

(c) **Site Map.** The site map must clearly delineate the boundaries around each co-located industrial facility and the boundaries around shared or common areas that are used by two or more facilities.

Co-located facilities may alternatively obtain a conditional exclusion based on no-exposure, in accordance with Part II, Section C. of this general permit, if applicable.

5. **Requirements for Military Installations and Other Publicly-Owned Facilities**

(a) Stormwater discharges from military or other public installations or government institutions that conduct any industrial activities described by an SIC code or an industrial activity code that is listed in Part II, Section A.1. and Part V of this general
permit, or that otherwise meet the conditions described in Part II, Section A.1.(a) relating to the need for a permit, must either be authorized under this general permit, an individual TPDES stormwater permit, or an alternative general permit. For example, the SIC code of military installations is 9711 and the SIC code for universities is 8221, neither of which are listed in this general permit; however, the need for a permit will be based on individual activities that occur at the installation.

(b) Other publicly operated facilities (i.e., stand-alone facilities) that conduct activities described under Part II, Section A.1. of this general permit must meet the conditions of the general permit for those regulated activities. For example, a city-operated landfill would be described by industrial activity code LF and would need a permit, and a county-operated bus maintenance facility would fall under SIC Code 4111 or 4173 and would also need a permit. However, the general vehicle maintenance shop for a city’s motor pool would not typically be regulated unless the vehicles being maintained would classify the maintenance yard under an SIC code in the 4100 or 4200 series (for example if the city motor pool also maintains the city’s public transportation busses and the yard performs at least 50% of its maintenance activities on the city’s public transportation busses).

6. Non-Stormwater Discharges

Industrial facilities that qualify for coverage under this general permit may discharge the following non-stormwater discharges through outfalls identified in the SWP3, according to the requirements of this general permit:

(a) discharges from emergency fire fighting activities and uncontaminated fire hydrant flushings (excluding discharges of hyperchlorinated water, unless the water is first dechlorinated and discharges are not expected to adversely affect aquatic life);

(b) potable water sources (excluding discharges of hyperchlorinated water, unless the water is first dechlorinated and discharges are not expected to adversely affect aquatic life);

(c) lawn watering and similar irrigation drainage, provided that all pesticides, herbicides, and fertilizer have been applied in accordance with the approved labeling;

(d) water from the routine external washing of buildings, conducted without the use of detergents or other chemicals;

(e) water from the routine washing of pavement conducted without the use of detergents or other chemicals and where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed);

(f) uncontaminated air conditioner condensate, compressor condensate, and steam condensate, and condensate from the outside storage of refrigerated gases or liquids;

(g) water from foundation or footing drains where flows are not contaminated with pollutants (e.g., process materials, solvents, and other pollutants);

(h) uncontaminated water used for dust suppression;

(i) springs and other uncontaminated groundwater;

(j) incidental windblown mist from cooling towers that collects on rooftops or adjacent portions of the facility, but excluding intentional discharges from the cooling tower (e.g., “piped” cooling tower blowdown or drains); and
(k) other discharges described in Part V of this permit that are subject to effluent guidelines and effluent limitations.

Section B. Limitations on Permit Coverage

1. Suspension or Revocation of Permit Coverage

Authorization under this general permit may be suspended or revoked for cause. Filing a notice of planned changes or anticipated non-compliance by the permittee does not stay any permit condition. The permittee shall furnish to the executive director, upon request, any information necessary for the executive director to determine whether cause exists for revoking, suspending, or terminating authorization under this permit. Additionally, the permittee shall provide to the executive director, upon request, copies of all records that the permittee is required to maintain as a condition of the permit.

Failure to comply with any permit condition is a violation of the permit and the statutes under which it was issued, and is grounds for enforcement action, revoking coverage under this general permit, or requiring the permittee to apply for and obtain an individual TPDES permit or alternative general permit.

2. Discharges Authorized by Another TPDES Permit

Discharges authorized by an individual TPDES permit or another general TPDES permit may only be authorized under this TPDES general permit if all of the following conditions are met:

(a) the discharges meet the applicability and eligibility requirements for coverage under this general permit;

(b) the individual or alternative general permit does not contain numeric water quality-based effluent limitations for the discharge (unless industrial activities that resulted in the limitations have ceased and any contamination that resulted in these limitations has been removed or remediated);

(c) specific BMP requirements of the current individual permit are continued as a provision of the SWP3;

(d) the executive director has not determined that continued coverage under an individual permit is required based on consideration of a TMDL model, anti-backsliding policy, history of substantive non-compliance or other considerations and requirements of 30 TAC Chapter 205, or other site-specific considerations; and

(e) a previous application or permit for the discharges was not denied, terminated, or revoked by the executive director as a result of enforcement or water quality related concerns. The executive director may provide a waiver to this provision based on new circumstances at the facility or if the operations of the facility are the responsibility of a new operator.

3. Stormwater Discharges from Construction Activity

Stormwater discharges associated with construction activities are not eligible for authorization under this general permit. Discharges of stormwater that are regulated under this permit and that combine with stormwater from construction activities are not eligible for coverage under this general permit unless the construction site runoff meets one of the following conditions:

(a) authorization is under a separate TPDES permit;
(b) authorization is under a separate NPDES permit; or
(c) TPDES or NPDES permit coverage is not required.

4. **Stormwater Discharges from Salt Storage Piles**

Stormwater that contacts salt storage piles (e.g., salt for deicing or other commercial or industrial purposes) may not be discharged to surface water in the state under authority of this general permit. Stormwater that contacts salt storage piles must be discharged under the authority of an individual TPDES permit or alternative general permit, or must be captured within a containment structure. Stormwater that contacts salt storage piles and is captured must either be disposed of in a manner that does not allow a discharge into or adjacent to water in the state, or in a manner otherwise approved by the executive director.

The permittee(s) shall prevent exposure of salt storage piles, or piles containing salt, used for deicing or other commercial or industrial purposes, including maintenance of paved surfaces. This material must be enclosed or covered. Appropriate BMPs (e.g., good housekeeping, diversions, containment) must be implemented to minimize exposure resulting from adding to or removing materials from the pile(s).

5. **Discharges of Stormwater Mixed with Non-Stormwater**

Stormwater discharges associated with industrial activity that combine with sources of non-stormwater are not eligible for coverage by this general permit, unless either the non-stormwater source is described in Part II, Section A.6. of this permit or the non-stormwater source is authorized under a separate TPDES permit.

6. **Compliance with Water Quality Standards**

Discharges that would cause or contribute to a violation of water quality standards, or that would fail to protect and maintain existing designated uses of receiving waters are not eligible for coverage under this general permit. The executive director may require an application for an individual permit or alternative general permit to authorize discharges of stormwater from any industrial facility that is determined to cause a violation of water quality standards or is found to cause, or contribute to, the loss of a designated use of receiving waters.

7. **Impaired Water Bodies and Total Maximum Daily Load (TMDL) Requirements**

Discharges of the pollutant(s) of concern to impaired water bodies where there is a TMDL are not eligible for coverage under this permit, unless they are consistent with the EPA-approved TMDL. Permittees must incorporate the limitations, conditions, and requirements applicable to their discharges, including monitoring frequency and reporting required by TCEQ rules, into their SWP3 in order to be eligible for MSGP permit coverage.

A discharge into an impaired water body is one where the discharge is directly to a water body that is either identified on the latest EPA-approved CWA Section 303(d) List, the Texas Integrated Report of Surface Water Quality for CWA Sections 305(b) and 303(d), or is covered by an EPA-approved TMDL. For stormwater that first enters a storm sewer system prior to discharge, the determination is made by the identity of the first body of water the discharge enters upon exiting the storm sewer system.

(a) The permittee shall determine whether the permitted authorized discharge is to an impaired water body on latest EPA-approved CWA Section 303(d) List, or waters with an EPA-approved or established total maximum daily load (TMDL) that are found on the latest EPA-approved Texas Integrated Report of Surface Water Quality for CWA
Sections 305(b) and 303(d) as not meeting applicable Texas Surface Water Quality Standards.

(b) New Discharges to Water Quality Impaired Water Bodies

For a new discharge to an impaired water body, the permittee shall either:

1. Prevent exposure to stormwater of the pollutant(s) for which the water body is impaired (i.e., the pollutant(s) of concern), and retain on-site documentation of the preventive measures within the SWP3;

2. Document that the pollutant(s) for which the water body is impaired is/are not present in the regulated industrial activity at the site, and retain documentation of this finding in the SWP3 (e.g., if the pollutant of concern is bacteria, but the only identifiable source of bacteria that is wildlife occurring on the property, then the bacteria levels could be considered “background” for the purposes of this permit requirement); or

3. Obtain analytical data to support a showing that the discharge is not expected to cause or contribute to an exceedance of a water quality standard. The data and technical evaluation must demonstrate that the discharge of the pollutant of concern for which the water is impaired is below the level of concern (e.g., benchmark value). If the pollutant of concern is present above the level of concern, the permittee must follow the requirements in Part II, Section B.7.(c)(3)e. below. Data and supporting technical information must be retained with the SWP3. The permittee shall use the following method to demonstrate this finding, unless an alternate method is authorized by the TCEQ in writing:

a. The permittee shall collect one or more representative sample(s) of stormwater in accordance with Part III, Section D.2. of this general permit, and analyze the sample(s) for the pollutant of concern (e.g., hazardous metals, bacteria, nutrients, etc.).

   For example, if the pollutant of concern is bacteria, the permittee shall sample for E. coli if discharging to fresh water, and enterococci if discharging to salt water. If the impairment is due to low dissolved oxygen (DO), the permittee shall monitor for BOD, COD, or both, based on the nature of the industrial activity, or in accordance with guidance provided by the TCEQ (e.g., information may be sent in writing directly to the permittee on request, or may be available on the TCEQ’s TPDES stormwater web pages). If the impairment is due to nutrients, the permittee shall sample for total phosphorous if the discharge is to fresh water and for total nitrogen if the discharge is to salt water.

   If the impairment is due to a parameter for which there is not a clear analytical testing protocol (e.g., sediment, fish tissue, etc.), the permittee shall contact the TCEQ for guidance on which pollutant(s), if any, to monitor for, and the TCEQ will respond in writing to the permittee. This documentation must be retained in the SWP3.

b. If the facility operator is not able to collect a sample because the facility is not yet in operation, then the operator may submit an application to obtain coverage prior to sampling. The permittee shall collect the representative sample(s) from the first available discharge after commencing operation.

c. The permittee shall compare the analytical results with the benchmark monitoring levels found in the facility’s applicable sector located in Part IV of
this general permit. Where a benchmark result is not available, the permittee shall compare the results to the water quality criteria in 30 TAC Chapter 307, or to the minimum analytical level (MAL). The pollutant is not considered to be present within the discharge when not detected above the MAL. The pollutant is considered below the level of concern when sampling results are below benchmark levels, the applicable water quality criteria, or natural background levels.

d. If the first year sampling results indicate that the discharge is below the level of concern or is not present in the discharge, then no additional sampling for the pollutant of concern is required.

e. If sampling results indicate that the pollutant of concern is present in the discharge at a level of concern, then the permittee shall perform the following activities:

(1) Monitor the discharge in accordance with Part III, Section B.4., “Water Quality Monitoring Requirements,” and

(2) Revise the SWP3 to address controls that the permittee will utilize to reduce the discharge of the pollutant of concern.

(4) A new discharge is not eligible for coverage under this permit for discharges to waters designated by the Texas Surface Water Quality Standards as Tier 3.

(c) Existing Discharges to Impaired Water Bodies with an approved TMDL.

An existing discharge to an impaired water body with an approved TMDL may only be authorized under this general permit if the permittee complies with additional controls required by the TCEQ in the TMDL, the TMDL Implementation Plan, or as otherwise directed by the executive director in writing to the permittee.

If the TMDL or TMDL Implementation Plan does not identify monitoring requirements for the permittee, then additional monitoring is not required under Part III.B.4(a) and the permittee may still obtain authorization under this general permit.

(d) Existing Discharge to Water Quality Impaired Water Bodies without an approved TMDL. If the permittee discharges to an impaired water body without an approved TMDL, the permittee shall either:

(1) Prevent exposure to stormwater of the pollutant(s) for which the water body is impaired (i.e., the pollutant(s) of concern), and retain on-site documentation of the preventive measures within the SWP3;

(2) Document that the pollutant(s) for which the water body is impaired is/are not present in the regulated industrial activity at the site, and retain documentation of this finding in the SWP3 (e.g., if the pollutant of concern is bacteria, but the only identifiable source of bacteria is wildlife occurring on the property, then the bacteria levels could be, for the purposes of this permit condition, considered “background” from a non-point source that is not regulated under this permit); or

(3) Obtain analytical data to support a showing that the discharge is not expected to cause or contribute to an exceedance of a water quality standard, using the steps in Paragraph II.B.7.(c)(3) above.

a. If the results indicate that the discharge is below the level of concern or is not present in the discharge, then no additional action is required.
b. If the results indicate that the pollutant of concern is present in the discharge at a level that may contribute to water quality impairment (e.g., a result that is above the benchmark level for a pollutant as described in the facility’s applicable sector located in Part V of this general permit), then the permittee shall implement an interim pollutant reduction plan (PRP) for the pollutant of concern. This PRP must be included in the SWP3 and must discuss the management practices and control measures that the permittee will implement to reduce, with the goal of eliminating, the discharge of pollutant(s) of concern that contribute to the impairment of the water body. The PRP must specifically identify control measures and practices that will collectively be used to try to eliminate the discharge of pollutant(s) of concern that contribute to the impairment of the water body and explain why these control measures and practices were chosen as opposed to other alternatives.

(4) Beginning upon the date that the permittee is authorized for coverage under this permit, the permittee may not establish a new or increased discharge potentially containing a pollutant of concern to an impaired water body unless there is no exposure of the pollutant of concern to stormwater, the pollutant of concern is not present at the site nor in the discharge, or analytical data shows the pollutant of concern is not present at a level of concern as described in Part II, Sections B.7.(e)(1), (2), and (3) above. TCEQ may notify the permittee if additional control measures are necessary, or if an individual permit application is necessary.

8. Discharges to the Edwards Aquifer Recharge Zone

Discharges may not be authorized by this general permit where prohibited by 30 TAC Chapter 213 (relating to Edwards Aquifer).

(a) For new discharges located within the Edwards Aquifer Recharge Zone, or within that area upstream from the recharge zone and defined as the Contributing Zone, operators must meet all applicable requirements of, and operate according to, 30 TAC Chapter 213 (Edwards Aquifer Protection Rule), in addition to the provisions and requirements of this general permit.

(b) For existing discharges located within the Edwards Aquifer Recharge Zone, the requirements of the agency approved Water Pollution Abatement Plan under the Edwards Aquifer Rules are in addition to the requirements of this general permit. BMPs and maintenance schedules for structural stormwater controls, for example, may be required as a provision of the rule. All applicable requirements of the Edwards Aquifer Protection Rule for reductions of suspended solids in stormwater runoff are in addition to the effluent limitation requirements and benchmark goals in this general permit for this pollutant. A copy of the TCEQ approved Water Pollution Abatement Plan(s) that are required by the Edwards Aquifer Rule must be attached or referenced as a part of the SWP3.

(c) For discharges located within ten stream miles upstream of the Edwards Aquifer recharge zone, applicants shall also submit a copy of the NOI to the appropriate TCEQ regional office.

Counties: Comal, Bexar, Medina, Uvalde, and Kinney
Contact: TCEQ Water Program Manager
San Antonio Regional Office
14250 Judson Road
San Antonio, Texas 78233-4480
(210) 490-3096
9. **Discharges to Specific Watersheds and Water Quality Areas**

Discharges of stormwater associated with industrial activity and other non-stormwater discharges may not be authorized by this general permit where prohibited by 30 TAC Chapter 311 (relating to Watershed Protection) for water quality areas and watersheds.

10. **Endangered Species Act**

Discharges that would adversely affect a listed endangered or threatened aquatic or aquatic-dependent species or its critical habitat are not authorized by this permit, unless the requirements of the federal Endangered Species Act are satisfied. Federal requirements related to endangered species apply to all TPDES permitted discharges and site-specific controls may be required to ensure that protection of endangered or threatened aquatic or aquatic dependent species is achieved. If a permittee has concerns over potential impacts to listed species, the permittee may contact TCEQ for additional information.

11. **Protection of Streams and Watersheds by Home-Rule Municipalities**

This general permit does not limit the authority of a home-rule municipality provided by the Texas Local Government Code §401.002.

12. **Facilities with No Discharge to Surface Water in the State**

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. The operator may be required to demonstrate, using engineering calculations or similar methods, that the facility will not discharge stormwater associated with industrial activity.

Facilities that dispose of all stormwater associated with industrial activity by any of the following practices would not be required to obtain coverage for the stormwater under this general permit nor under an individual TPDES permit or alternative general permit:

(a) Recycling of the stormwater with no resulting discharge into surface water in the state.

(b) Pumping and hauling of the stormwater to an authorized disposal facility.

(c) Discharge of the stormwater to a publicly-owned treatment works (POTW); however, this permit does not grant authorization to discharge into a POTW and the permittee would need to obtain authorization from the POTW operator to discharge stormwater into the POTW.

(d) Underground injection of the stormwater in accordance with 30 TAC Chapter 331.

(e) Discharge to above ground storage tanks with no resulting discharge into surface water in the state.
(f) Containment of all stormwater within property boundaries, with no discharge into surface water in the state, including no discharge during, or as the result of, any storm event.

13. Automatic Authorization for Certain Industrial Activities

Operators of the following industrial activities are designated for coverage under this general permit, and are not required to prepare a SWP3, conduct analytical sampling, or submit an NOI for coverage nor an NEC form for a conditional exclusion based on no exposure. However, the facility operator must comply with all other requirements of Part III, Section E. of this general permit, related to Standard Permit Conditions; and must comply with Part II, Section C.1. of the permit related to maintaining “no exposure” of industrial activity to stormwater.

(a) Operators of facilities described in Part V, Section P, related to General Warehousing and Storage (SIC 4225), that do not have areas for vehicle maintenance or equipment cleaning activities, provided that the requirements of Part V, Section P.2.c. are met.

(b) Operators of facilities described under Part V, Section X, that conduct publishing or design without printing, provided that the requirements of Part V, Section X.2. are met.

(c) Operators of small businesses who conduct a regulated activity described in Part II, Section A, where the entire industrial activity is performed in a residential home, a shopping mall, or an office building, and all of the requirements listed below are met:

   (1) The industrial activity does not include the following industrial activity codes: HZ, LF, SE, or TW;

   (2) The industrial activity is conducted in an area inside the operator’s primary residence home structure itself or inside another fully enclosed building, located within the property boundaries of the operator’s primary residence (e.g., garage);

   (3) The regulated industrial activity is not exposed to stormwater; and

   (4) The facility operator complies with the requirements of Part III Section E. of this general permit, related to Standard Permit Conditions. However, the operator is not required to submit an NOI or an NEC form, conduct analytical monitoring for permit compliance, nor develop a SWP3.

The facility operator must apply for coverage if any of the requirements listed above are not met. If the TCEQ determines that additional controls are required other than those listed above, or if there is a concern regarding the discharge of elevated levels of pollutants, then the TCEQ may require a facility otherwise eligible for automatic authorization to obtain coverage and meet all permit conditions through submittal of an NOI or an individual permit application.

14. Transfer of Liability

This permit does not transfer liability for the act of discharging without, or in violation of, a NPDES or a TPDES permit from the operator of the discharge to the permittee(s).

15. Force Majeure

Nothing in Part II of the general permit is intended to negate any person’s ability to assert the force majeure (act of God, war, strike, riot, or other catastrophe) defenses found in 30 TAC §70.7.
Section C. Obtaining Authorization to Discharge

1. Conditional No Exposure Exclusion from Permit Requirements

Facilities regulated under this general permit may be excluded from permit requirements if there is no exposure of industrial materials or activities from precipitation or runoff. To qualify for a no exposure exclusion from permit requirements, the operator of the facility must provide certification that industrial activities and materials are isolated from stormwater by storm resistant shelters. The certification must be submitted to the TCEQ on a no exposure certification (NEC) form provided by the executive director, or using a format approved by the executive director. The facility is subject to inspection by authorized TCEQ personnel and MS4s with enforcement authority over MSGP regulated facilities within their jurisdiction to determine compliance with the no exposure exclusion. Facilities that qualify for this exclusion and that contribute stormwater discharges to a municipal separate storm sewer system (MS4) shall provide copies of the certification to the operator of the MS4.

(a) The following materials and activities are not required to be isolated from stormwater and stormwater runoff in order to meet the no exposure exclusion:

1. drums, barrels, tanks, and similar containers that are tightly sealed, provided those containers are not deteriorated and do not leak (“Sealed” means banded or otherwise secured and with-out operational taps or valves);

2. final products that are designed for outdoor use (e.g., new cars, outdoor play-sets, lawn equipment) provided the final products have not deteriorated or are otherwise a potential source of contaminants;

3. pallets used to store or transport final products intended for outdoor use, if the pallets are new or do not contain pollutants;

4. vehicles used in material handling that are adequately maintained to prevent leaking fluids;

5. lidded dumpsters containing waste materials, providing the containers are completely covered, nothing can drain out, and no material can be lost while loading the contents onto a garbage truck (excludes trash compactors unless located indoors or protected by a storm-resistant shelter);

6. industrial refuse and trash that is stored large roll-off containers that are either located under a constructed cover or covered with heavy-duty tarps that are properly maintained and in good condition. The tarps must be securely fastened to the waste container in such a manner that the tarp has to be unfastened to add waste materials to the container and then refastened to the container;

7. particulate emissions from roof stacks or vents, provided they comply with other applicable TCEQ rules and do not contaminate stormwater; and

8. above ground storage tanks (ASTs) that are equipped with valves for dispensing materials that support facility operations (e.g., heating oil, propane, butane, chemical feedstocks) or that dispense fuel (e.g. gasoline, diesel, compressed natural gas) for delivery vehicles that support facility operations provided that:

a. the ASTs must be physically separated from and not associated with vehicle maintenance operations areas;

b. there are no leaks from pipes, pumps, or other equipment that could come into contact with stormwater; and
c. the ASTs are surrounded by secondary containment (e.g., impervious berm, dike, or concrete retaining structure) to prevent exposure to stormwater runoff in the event of structural failure or leaks.

ASTs that dispense fuel to vehicles that are used to support the regulated facility operations are not considered exposed. However, ASTs that distribute fuel to airplanes at a regulated air transportation facility are considered exposed unless located under storm resistant shelter.

(b) The following types of final products do not qualify for a certification of no exposure:

1. Products that could be mobilized by wind or rain into stormwater discharges (e.g., rock salt, wood chips or shavings, compost). Materials sheltered from precipitation may still be deemed exposed if the materials could be carried by wind;

2. Products that may, when exposed, oxidize, deteriorate, leak or otherwise be a potential source of contaminants (e.g., scrap cars, scrap metal); or

3. “final” products that are actually “intermediate” products used in the composition of yet another product (e.g., sheet metal, tubing and paint used in making tractors, unfinished portions of a final product, plastic pellets, glass to be installed in vehicles or buildings). Even if the intermediate product is “final” for a manufacturer and is intended to be included in a “final product intended for use outdoors,” these products are still considered intermediate products and are considered to be exposed if located outdoors.

Deposits of particles or residuals from roof stacks or vents not otherwise regulated that could be carried by stormwater runoff and are considered exposed. Exposure also occurs when, as a result of particulate emissions, pollutants are visibly being “tracked out” or carried on the tires of vehicles.

(c) Limitations on eligibility for the no-exposure exclusion:

1. The exclusion from permit requirements is only available facility-wide, and is not available for individual outfalls. Generally, if any exposed industrial materials or activities are found on any portion of a facility, the facility is not eligible for the no-exposure exclusion.

2. If a facility with a conditional no-exposure exclusion undergoes any change(s) that result in industrial activities or materials becoming exposed, or if it is found that a facility does not (or no longer) meets the no exposure requirements, then the NEC exclusion that the facility is under ceases to apply. If this occurs, the operator of the facility covered (under an NEC) shall prepare a SWP3 and submit an NOI to apply for coverage under the MSGP or shall apply for an individual water quality permit (as applicable) to discharge stormwater from the facility before making any changes that will expose industrial activities or materials. Discharges that occur after losing the conditional no exposure exclusion are not authorized, unless permit coverage is re-established by filing an NOI for this permit or via an individual permit. The operator is required to submit a Notice of Termination (NOT) to terminate their NEC coverage.

3. If the TCEQ determines that a facility’s stormwater discharges have a reasonable potential to cause or contribute to a violation of applicable water quality standards, then the TCEQ may deny the no exposure exclusion. However, where an MS4 operator has MSGP enforcement authority, it may inspect facilities within its jurisdiction for compliance with the no exposure certification (NEC).
2. Application for Coverage

Applicants seeking authorization to discharge under this general permit shall submit a completed notice of intent (NOI) or a completed no exposure certification (NEC), as applicable, on a form approved by the executive director. Applications are not required for facilities that are automatically authorized by designation under this general permit.

(a) Notices of Intent (NOIs) and No Exposure Certifications (NECs).

(1) Paper NOIs and NECs. Provisional authorization begins seven (7) days from the date that a completed NOI or NEC is postmarked for delivery to the TCEQ, unless otherwise notified in writing by the executive director.

(2) Electronic NOIs and NECs. Effective September 1, 2017, applicants must submit an NOI or NEC using the online e-permitting system available through the TCEQ website or request and obtain an electronic reporting waiver. Electronic reporting waivers are not transferrable and expire on the same date as the authorization to discharge.
   a. If electronic submission of NOIs or NECs is provided, and unless otherwise notified by the executive director, provisional authorization begins immediately following confirmation of receipt of the electronic NOI or NEC form by the TCEQ.

(3) Following review of the NOI or NEC, the executive director will:
   a. determine that the NOI or NEC is complete and confirm coverage by providing a written notification and an authorization number; or
   b. determine that the NOI or NEC is incomplete and request additional information needed to complete the NOI or NEC; or
   c. deny coverage in writing. Denial of coverage will be made in accordance with TCEQ rules at 30 TAC § 205.4, related to Authorizations and Notices of Intent.

(b) Automatic Authorization. Facilities that meet the eligibility requirements for automatic authorization in Part II, Section B.13 are automatically authorized and are not required to submit an NOI for coverage or an NEC for conditional exclusion, provided that all of the technical requirements are met. Permit coverage for existing facilities automatically authorized under Part II, Section B.13 of this general permit begins immediately upon the effective date of this general permit; and permit coverage for new facilities begins upon the commencement of industrial activities regulated under this general permit.

3. Application Deadlines

(a) Existing Industrial Facilities.

(1) Permittees who were authorized under the previous TPDES MSGP permit for discharges associated with industrial activity (TXR050000, issued August 14, 2011) shall continue to operate under the provisions of that permit until authorization is obtained under this general permit, and may continue to do so for up to 90 days after the effective date of this general permit.

On or before the ninetieth (90th) day following the effective date of this general permit, existing permittees shall submit an application (NOI or NEC) for coverage under this general permit, or shall comply with the automatic authorization option (in accordance with Part II, Section B.13, of this general permit). The executive director may grant a written request for extension for good cause if such written
request is received no later than 15 days before the application deadline (75 days following the permit effective date).

(2) Facilities that were required to obtain permit coverage under the previous TPDES MSGP (issued August 14, 2011) are considered to be existing facilities, regardless of whether an NOI or NEC was previously submitted under that general permit. The deadline for existing facilities that did not obtain coverage under the previous TPDES MSGP permit is immediately upon the effective date of this general permit. However, this permit does not prohibit a facility from submitting an NOI or NEC after the effective date of the general permit.

(3) Permit coverage for facilities that do not renew permit coverage will expire 90 days following the effective date of this general permit. However, facilities that do not submit a notice of termination on or before September 1, 2016, will be considered active facilities on that date and will be assessed an annual fee for Fiscal Year 2017, as described in Part II, Section C.10.(b) below.

(b) New Industrial Facilities.

An NOI or NEC must be submitted prior to commencement of industrial activity that is regulated under this general permit, or the facility operator must comply with the automatic authorization requirements listed in Part II, Section B.13. of this general permit.

(c) New Operator.

Permit coverage may not be transferred. When the operator of a facility changes, the new operator must submit an NOI or NEC, and the previous operator must submit an NOT, at least ten days before the change in operator occurs, or in accordance with 30 TAC §205.4(h), related to Authorizations and Notices of Intent. Also see Part II, Section C.7, related to Terminating Coverage.

When the operational control of a portion of a facility changes, the new operator shall submit an NOI or an NEC, and the existing operator shall revise its SWP3 and submit an NOC as needed.

4. Stormwater Pollution Prevention Plan (SWP3)

A permittee authorized under this general permit must develop and implement a stormwater pollution prevention plan (SWP3, or plan) according to the requirements of this permit before submitting an NOI for permit coverage. The plan must be developed according to the requirements of Part III of this general permit and must also include all sector specific requirements of Part V. The SWP3 must be signed and certified according to TCEQ rules at 30 TAC §305.128, as described in Part III, Section E.6.(c) of this general permit.

5. Contents of the Notice of Intent (NOI)

The NOI must contain the following information, at a minimum:

(a) Operator Information.

(1) the name, address, and telephone number of the operator filing the NOI for permit coverage; and

(2) the legal status of the operator (e.g., federal, state, private or public entity).

(b) Site Information.
(1) the name, address, county, and latitude and longitude of the site;
(2) a determination of whether the site is located on Indian Land;
(3) the name of the receiving water(s);
(4) the name of the MS4 operator(s), if the discharge is to an MS4;
(5) a certification statement that a SWP3 has been developed and implemented
    according to the provisions of this permit;
(6) the primary SIC code that best describes the industrial activity of the facility and
    any other SIC codes or Industrial Activity Codes that describe additional activities
    and that are listed in Part V of this permit; and
(7) the industrial sector(s) of this general permit for which the applicant requests
    coverage.

c) Existing TPDES authorization number, for facilities previously regulated under the
   TPDES MSGP.

6. Changes to Information Submitted

   a) If the operator becomes aware that any of the following occurred, then correct
      information must be provided to the executive director in a notice of change (NOC)
      within 14 days after discovery:

      (1) Relevant information provided on the NOI or NEC has changed;
      (2) The operator failed to submit relevant facts; or
      (3) The operator submitted incorrect information on an NOI or NEC.

   b) The NOC must be submitted on a form provided by the executive director, or by letter if
      an NOC form is not available. A copy of the NOC must also be provided to the operator
      of any MS4 receiving the discharge (if required by the MS4), and the SWP3 must
      include a list of the names and addresses of the MS4 operator(s) receiving a copy.

   c) Effective September 1, 2017, permittees must submit an NOC using the online e-
      permitting system available through the TCEQ website unless the permittee obtained
      an electronic reporting waiver.

   d) Examples of information that may be submitted on an NOC include the following:

      (1) Change to applicant contact or billing information.
      (2) Changes to the General Characteristics section, such as adding, removing, or
          changing an SIC code or industrial activity code, or changing the discharge
          information.
      (3) Operator name change, provided that only the name has changed and that no
          transfer of ownership has occurred (see Part II, Section C.7.(a) below).

   e) Information that may not be submitted on an NOC includes, but is not limited to, the
      following:

      (1) Transfer of operational control from one operator to another, including a transfer
          of the ownership of a company. A transfer of ownership of a company includes
          changes to the structure of a company, such as changing from a partnership to a
          corporation or changing corporation types, so that the filing or charter number
that is on record with the Texas Secretary of State must be changed. See Part II, Section C.7.(a) below, related to Transfer of Operational Control.

(2) Change in the physical location of the facility. Authorizations may not be transferred to a different location; therefore, if a facility moves, the operator will need to submit an NOI for the new location and an NOT for the previous location.

(f) Additional changes that may be made to the operator’s SWP3 and that are not required to be submitted on an NOC include, but may not be limited to, the following:

(1) Addition, removal, or change in the location of an outfall.

(2) Change to other information on the site map that was not originally provided on the NOI (e.g., location of processing areas, loading areas, or best management practices).

7. Terminating Coverage

(a) Submitting Notice of Termination (NOT).

(1) A permittee must submit a NOT to the TCEQ to cancel coverage or to cancel a conditional exclusion based on no exposure. An NOT must be submitted in the following situations:

a. An existing facility covered under an NOI changes operations such that a condition of no exposure is obtained.

b. An existing facility with a conditional exclusion based on having no exposure of industrial activities changes operations such that a condition of no exposure no longer exists. The permittee must submit an NOI before a condition of exposure occurs, then must submit an NOT to terminate the existing exclusion.

c. A facility that was covered under an NOI or an NEC is no longer doing business in the original location, and no industrial activities (e.g., manufacturing, processing, material storage, waste material disposal areas and similar areas) remain or continue to be conducted at the site that would require permit coverage. An NOT must be submitted within 10 days after the facility ceases discharging stormwater associated with industrial activity.

d. An operator that submitted an NOI or NEC obtains coverage under an individual permit or obtains coverage under an alternative general permit for stormwater discharges. An NOT must be submitted within 10 days after the operator obtains coverage under the alternative permit.

e. A transfer of operational control occurs. The original operator who submitted the NOI or NEC must submit an NOT to cancel coverage or to cancel a conditional exclusion based on no exposure.

Coverage under this general permit is not transferable. A transfer of operational control includes changes to the structure of a company, such as changing from a partnership to a corporation, or changing to a different corporation type such that a different filing (or charter) number is established with the Texas Secretary of State. When the operator of a regulated industrial facility changes or operational control is transferred, the original operator must submit an NOT within 10 days prior to the date that responsibility for operations terminates, and the new operator must submit an NOI at least 10 days prior to the transfer of operational control.
(2) Operators of regulated industrial activities who are designated as being automatically authorized by this general permit, and who are not required to submit an NOI or NEC, are not required to submit an NOT to terminate coverage.

(b) NOT Form.

(1) The NOT must be submitted on a form approved by the executive director, and a copy of the NOT must be provided to the operator of any MS4 receiving the discharge (if required by the MS4).

(2) Effective September 1, 2017, permittees must submit an NOT using the online e-permitting system available through the TCEQ website unless the permittee obtained an electronic reporting waiver.

(c) Effective Date of Termination of Coverage.

Authorization to discharge terminates on the day that an NOT is postmarked for delivery to the TCEQ. For electronic submission of NOTs, authorization to discharge terminates immediately following confirmation of receipt of the electronic NOT form by the TCEQ.

8. Signatory Requirements

NOI, NOT, NOC, and NEC forms must be signed according to 30 TAC §305.44 (relating to Signatories for Applications). Signatory authority may not be delegated to a person who does not meet the requirements listed in the referenced rule.

9. Additional Notification

Industrial facilities that contribute stormwater discharges to an MS4 must provide a copy of the completed NOI or NEC to the operator of the system. These facilities must also provide a copy of all NOCs and NOTs to the operator of the MS4.

10. Fees

(a) Application Fees:

An application fee of $200.00 must be submitted with each paper NOI and each paper NEC. If the TCEQ provides for electronic submittal of NOIs and NECs, the application fee for submittal of an electronic NOI or NEC is $100.00.

A fee is not required for submission of an NOT or NOC.

(b) Annual Fees:

A facility authorized under this general permit and required to submit an NOI must pay an annual water quality fee of $200.00 under Texas Water Code, §26.0291, and according to 30 TAC Chapter 205 (relating to General Permits for Waste Discharges).

An annual fee is not required for a facility that obtained a no-exposure exclusion by submitting an NEC form, nor for a facility that is automatically authorized under the general permit without submitting an NOI or NEC form.
11. Permit Expiration

This general permit is issued for an effective term not to exceed five (5) years. Following public notice and comment, as provided by 30 TAC §205.3 (relating to Public Notice, Public Meetings, and Public Comment), the Commission may amend, revoke, cancel, or renew this general permit. If the TCEQ fails to publish public notice of its intent to renew or amend this general permit within 90 days of its expiration date, then dischargers under this general permit must submit an application for an individual permit prior to expiration of this general permit. If TCEQ publishes notice of its intent to renew or amend this general permit 90 days or more prior to expiration, existing authorizations under this general permit will remain in effect until the Commission takes final action on the permit. The renewed or amended general permit will prescribe how to obtain authorization for all dischargers regulated by the general permit, including a deadline for submitting an NOI, if required.

Section D. Alternative Coverage Under an Individual TPDES Permit

1. Individual Permit Alternative

Any discharge eligible for coverage under this general permit may alternatively be authorized under an individual TPDES permit according to 30 TAC Chapter 305 (relating to Consolidated Permits). An operator of a facility described under Part II, Section A.1. of this general permit who chooses to be excluded from coverage under this general permit shall submit an application for coverage under an individual permit. Applications for individual permit coverage for new facilities should be submitted at least 330 days prior to the commencement of a regulated industrial activity to ensure timely permit coverage. Coverage under this general permit should not be terminated for existing facilities until the permittee receives an issued individual permit.

2. General Permit Alternative

Any discharge eligible for authorization under this general permit may alternatively be authorized under a separate general permit according to 30 TAC Chapter 205 (relating to General Permits for Waste Discharges), if applicable.

3. Individual Permit Required

The executive director may require an operator of a regulated industrial activity otherwise eligible for authorization under this general permit to apply for an individual TPDES permit in the following circumstances:

(a) the conditions of an approved TMDL limitation or TMDL Implementation Plan on the receiving stream(s);

(b) the discharge being determined to cause a violation of water quality standards or being found to cause, or contribute to, the loss of a designated use of surface water in the state; and

(c) any other consideration defined in 30 TAC Chapter 205 including 30 TAC §205.4(c)(3)(D), which allows the commission to deny authorization under the general permit and require an individual permit if a discharger has been determined by the executive director to have been out of compliance with any rule, order, or permit of the commission, including non-payment of fees assessed by the executive director.
(d) for a discharger classified as an “unsatisfactory performer” under 30 TAC Chapter 60. 30 TAC §60.3 requires the executive director to deny or suspend a person's authority relating to that site to discharge under this general permit. A discharger with an “unsatisfactory” compliance history classification is entitled to a hearing before the Commission prior to having its authorization denied or suspended in accordance with TWC § 26.040(h).

Denial of authorization to discharge under this general permit or suspension of a permittee's authorization under this general permit must be done according to commission rules in 30 TAC, Chapter 205, General Permits for Waste Discharges.
Part III. PERMIT REQUIREMENTS AND CONDITIONS COMMON TO ALL COVERED INDUSTRIAL ACTIVITIES

Section A. General Stormwater Pollution Prevention Plan (SWP3) Requirements

1. Implementation of SWP3 and Consistency with Other Plans

   (a) An applicant seeking authorization under this general permit must develop and implement a SWP3 before submitting an NOI for coverage.

   The SWP3 must be signed and certified in accordance with Part III, Section E.6.(c) of this general permit, and must be maintained onsite and made readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction.

   The SWP3 must be modified whenever necessary to address changing conditions at the site.

   Permittees who discharge stormwater to a municipal separate storm sewer system (MS4) shall also provide a copy of the SWP3 to the operator of that MS4 upon receiving a request from the MS4 operator.

   The SWP3 must be developed according to the requirements of this general permit. At a minimum, the SWP3 must:

   (1) identify actual and potential sources of pollution that may reasonably be expected to affect the quality of stormwater discharges from the facility (see Part III, Section A.3.);

   (2) establish practices and any necessary control measures that will prevent or effectively reduce pollution in stormwater discharges from the facility and that ensure compliance with the terms and conditions of this general permit (see Part III, Section A.4.);

   (3) describe how the selected practices and controls are appropriate for the facility and how each will effectively prevent or reduce pollution (see Part III, Section A.4.);

   (4) describe how controls and practices interrelate to comprise an integrated, facility-wide approach for stormwater pollution prevention, including any useful references to literature or site-specific performance information on the selected controls and practices to demonstrate the appropriateness of each (see Part III, Section A.4.);

   (5) establish a Stormwater Pollution Prevention Team (team) and identify team members who will be responsible for developing and revising the SWP3 (see Part III, Section A.2);

   (6) provide a description of the facility that includes information about activities, materials, and physical features of the facility that may contribute pollutants to stormwater and any pollutant discharges that could occur during dry weather (see Part III, Section A.3.); and

   (7) document the monitoring and inspection procedures and schedules that will be implemented at the site (see Part III, Section B).

   (b) Existing plans and measures that are developed based on other regulatory requirements, such as Spill Prevention Control Countermeasures (SPCC) plans that are required for certain operations under the federal guidelines of 40 CFR Part 112, may
satisfy in whole or in part specific requirements of this general permit. These plans or measures may either be attached as a component of the SWP3, or referenced in the SWP3 and made readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction.

2. **Stormwater Pollution Prevention Team**

The permittee shall establish a stormwater pollution prevention team (team). The SWP3 must be kept readily available to the members of the team.

(a) **Members of the Team.** The SWP3 must identify the members of the team by name and by title, and must list and clearly identify the responsibilities of each team member. The team may consist of a single individual or a group of individuals as appropriate for the facility. Additional members of the team may include environmental professionals that are under contract to the permittee. If the facility is not staffed on a continuous or permanent basis, then company employee(s) from outside of the facility may be identified as a part of the team.

If it is not feasible to provide the name of each team member, then the SWP3 may identify a position or positions within the organization that comprise the team. Members of the organization or the ranking employees or executive officers at the facility must be able to identify the particular individual(s) comprising the team.

(b) **Responsibility of the Team.** The team is responsible for development of the SWP3 and for assisting the operator or the operator’s designee in the implementation, maintenance, and revision of the SWP3.

3. **Description of Potential Pollutants and Sources**

The SWP3 must identify and describe all activities and significant materials that may potentially be pollutant sources. The SWP3 must include, at a minimum:

(a) **Inventory of Exposed Materials.** An inventory must be developed that lists materials currently handled at the facility that may be exposed to precipitation or runoff in a drainage area of an outfall covered under this permit. The list must include all materials that are handled, stored, processed, treated, or disposed of in a manner that would allow exposure to precipitation or runoff. Materials stored in drums, barrels, tanks, and similar containers that are tightly sealed, in good structural condition, and do not have leaking valves are not required to be listed in the inventory.

The inventory of materials must include specific pollutants that may be attributed to those materials. For facilities subject to reporting requirement under EPCRA §313, the SWP3 must list all potential pollutant sources for which they have reporting requirements under EPCRA §313.

The inventory must be updated within 30 days following a significant change in the types of materials that are exposed to precipitation or runoff, or significant changes in material management practices that may affect the exposure of materials to precipitation or runoff. A significant change in the types of materials is exposure of a material, not already included in the inventory that could be transported by precipitation or stormwater runoff and subsequently discharged. A significant change in material management practices is a change that would result in either initial exposure of a material not already listed in the inventory or increased exposure of a material to the extent that the material could be transported by precipitation or stormwater runoff and subsequently discharged.
(b) Narrative Description. The SWP3 must include a narrative description that describes all activities and potential sources of pollutants that may reasonably be expected to add pollutants to stormwater discharges, or that may result in dry weather discharges from the storm sewer system. This description must include locations and sources of runon to the site from adjacent property, and an indication if significant quantities of pollutants are present in the runon.

Examples include the following activities and potential sources when they are exposed to stormwater:

1. loading, unloading, and material transfer areas;
2. outdoor storage areas;
3. outdoor processing areas;
4. dust producing activities;
5. on-site waste disposal areas;
6. vehicle/equipment maintenance, cleaning, and fueling areas;
7. liquid storage tank areas;
8. railroad sidings, tracks, and rail cars;
9. storage piles containing salt used for deicing or other commercial or industrial purposes;
10. locations where potential spills and leaks could occur that could contribute pollutants to stormwater discharges; and
11. locations where all significant spills and leaks (for example, reportable quantity spills and spills or leaks that have the potential to cause impacts on water quality) of oil or toxic or hazardous pollutants occurred at exposed areas that drained to a stormwater conveyance in the three (3) years prior to the date the SWP3 was prepared or amended.

For each pollutant or material listed in the Inventory of Exposed Materials, the direction of flow or potential flow to the final permitted outfalls must be identified in the SWP3. The outfall and direction of flow must either be narratively described or identified by referencing the location on the site map. Areas of the facility that have a high potential for significant soil erosion, due to topography, activities, or other factors, must also be identified and either narratively described or identified by referencing the location on the site map.

The narrative description must be updated within 30 days following a change in the types or quantities of materials exposed to precipitation or runoff that, in the judgment of the stormwater pollution prevention team, may reasonably be expected to add pollutants to stormwater discharges. The narrative description must be updated to describe changes in material management practices or other factors that may affect the exposure of materials to precipitation or runoff.

(c) General Location Map. The SWP3 must contain a general location map (e.g., USGS quadrangle map) with enough detail to identify the location of the facility, including all surface waters that could potentially receive the stormwater discharges from the site.

(d) Drainage Area Site Map. A site map(s) must be developed that depict(s) the following:
(1) the location of each outfall covered by the permit and the location of each sampling point (if different from the outfall location);

(2) an outline of the facility’s drainage area that shows the direction of the stormwater flow, and the location of all stormwater conveyances (e.g., ditches, gutters, pipes, swales) that drain to each permitted outfall;

(3) connections or discharges to MS4(s);

(4) locations of all structures (e.g. buildings, garages, storage tanks, fueling stations, machinery) and impervious surfaces (e.g., parking lots, paved or concrete pads);

(5) structural control devices designed to reduce pollution in stormwater runoff;

(6) process wastewater treatment units (including ponds);

(7) bag house and other air treatment units exposed to stormwater;

(8) the surface area of the facility (i.e., size in acres or square feet), or a clear scale such that the approximate surface area may be calculated;

(9) locations of all receiving waters, including wetlands, and information as to whether they are impaired or have established TMDLs;

(10) vehicle and equipment maintenance areas;

(11) physical features of the site that may influence stormwater runoff or contribute a dry weather flow;

(12) locations and descriptions of all non-stormwater discharges;

(13) locations where reportable quantity spills or leaks have occurred during the three (3) years before the NOI is submitted to obtain coverage under this general permit;

(14) locations and sources of runon to the site from adjacent property that contains significant quantities of pollutants;

(15) processing, storage, and material loading/unloading areas; and

(16) any additional locations where significant materials are exposed to precipitation or runoff.

The site map must clearly show the flow of stormwater runoff from each of these locations so that the final outfall(s) where the discharge leaves the facility’s boundary is apparent. A series of maps must be developed if the amount of information would cause a single map to be difficult to read and interpret.

(e) Spills and Leaks. The SWP3 must contain a list of reportable quantity spills that occurred in areas exposed to stormwater, or that occurred within the drainage area that contributes to an outfall, during the three (3) years before the NOI was submitted. The list must be updated on a quarterly basis and must include all additional spills and leaks (in addition to the previously listed spills of “reportable quantity” only). The updated list may be limited to spills and leaks that have occurred within the previous five (5) years.

(f) Sampling Data. All data from the laboratory analyses of stormwater discharge samples must be summarized. The summary must be updated on an annual basis to include the results of all additional analyses. The data summary must either be included as an attachment to the SWP3 or may be referenced and maintained separately. The data summary must be readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction.
4. Pollution Prevention Measures and Controls

The permittee shall implement all pollution prevention practices that are determined to be necessary, reasonable, and effective by the stormwater pollution prevention team, or that are required by a state or local authority, that are necessary to protect the water quality in receiving waters, or that are necessary to remain compliant with this general permit. The SWP3 must include detailed descriptions of the following minimum components and a schedule for implementation:

(a) Best Management Practices (BMPs). A section within the SWP3 must be developed to establish BMPs to reduce the discharge and potential discharge of pollutants in stormwater and to minimize exposure of areas of the site with industrial activity to stormwater. The location and type of BMPs or control measures that have been adopted or installed must be documented in the SWP3. Development of BMPs must be based on the activities and potentials for contamination that are identified in Part III, Section A.4. of this permit.

Examples of BMPs that the permittee may use to comply with this section include the following:

(1) use grading, berming, or curbing when possible to prevent runoff of contaminated flows and to divert runon away from these areas;

(2) locate materials, equipment, and activities in such a way that leaks are contained in existing containment and diversion systems;

(3) clean up spills and leaks promptly using dry methods (e.g., absorbents) to prevent the discharge of pollutants;

(4) use drip pans and absorbents under or around leaky vehicles and equipment or store indoors where feasible;

(5) use spill/overflow protection equipment;

(6) drain fluids from equipment and vehicles prior to on-site storage or disposal;

(7) perform cleaning operations indoors, within storm resistant shelters, or within bermed areas that prevent runoff and runon and that also that capture overspray;

(8) ensure that waste, garbage, and floatable debris are not discharged to receiving waters, by keeping exposed areas free of such materials or by intercepting them before they are discharged;

(9) minimize generation of dust and off-site tracking of raw materials, intermediate products, final products, or waste materials; and

(10) divert, infiltrate, reuse, contain, or otherwise reduce stormwater runoff, in order to minimize pollutants in discharges.

(b) Good Housekeeping Measures. A section within the SWP3 must be developed to ensure that areas of the facility that contribute or potentially contribute pollutants to stormwater discharges (e.g., areas around trash dumpsters, storage areas, loading docks, and outdoor processing areas) are maintained in a clean and orderly manner. Good housekeeping measures must include measures to eliminate or reduce exposure of garbage and refuse materials to precipitation or runoff prior to their disposal. Typical good housekeeping measures include activities that are performed on a daily basis by employees during the course of normal work activities. The good housekeeping measures must be incorporated as a part of the employee training program.
(c) Erosion and Sedimentation Control Measures. A section within the SWP3 must be developed to address soil erosion and sedimentation. The permittee shall evaluate and use appropriate measures and controls to reduce soil erosion and sedimentation in areas of the facility with demonstrated or potential soil erosion and sedimentation.

Potential use of the following controls must be evaluated, at a minimum: soil stabilization through vegetative cover; contouring slopes; paving; and installation of structural controls.

(d) Structural Controls

(1) Physical structures may be used in conjunction with other pollution prevention measures and controls, as necessary, to reduce pollutants in stormwater discharges. Examples of structural controls that may be used include vegetated swales, oil/water separators, settling ponds, catch basins, berms, and other physical structures.

(2) Velocity Dissipation Devices. Discharge velocities must be controlled to the extent necessary to prevent the destruction of the natural physical characteristics of receiving waters by erosion. Velocity dissipation devices may be constructed at discharge points or along channels and other stormwater collection areas that lead to outfalls. Management alternatives to minimize runoff, such as limiting impervious cover, may also be considered.

(3) A section within the SWP3 must be developed to establish a maintenance program for stormwater structural controls. These controls must be inspected on a regular basis and maintenance frequencies must be established for each of the controls at intervals that ensure effective operation. Mechanical equipment that is part of a structural control, such as a stormwater pump, must also be inspected at intervals described in the SWP3 and maintained at intervals necessary to prevent failures that could result in a discharge of pollutants.

This section of the SWP3 must identify qualified personnel to conduct inspections and establish inspection and maintenance schedules. Records must document the estimated volumes of solids removed from catch basins, sediment ponds, and other similar control structures.

(e) Spill Prevention and Response Measures. A section within the SWP3 must be developed and implemented to prevent spills and to provide for adequate spill response. This section must:

(1) identify areas where spills could contribute pollutants to stormwater discharges;

(2) develop and implement procedures to minimize or prevent contamination of stormwater from spills;

(3) require drums, tanks, and other containers to be clearly labeled;

(4) clearly mark hazardous waste containers that require special handling, storage, use, and disposal;

(5) develop and implement specific spill prevention, detection, and clean up procedures and techniques;

(6) develop procedures to notify appropriate facility personnel, emergency response agencies, public health, or drinking water supply agencies and other regulatory agencies of a reportable quantity spill or other release of oil or a hazardous substance;
(7) make available to facility personnel materials and equipment necessary for spill clean-up;
(8) develop and maintain an inventory of spill cleanup materials and equipment; and
(9) incorporate these measures as a part of the employee training program.

(f) Employee Training Program and Employee Education.

(1) Training. A section within the SWP3 must be developed to establish a training program. Training must be provided to all employees who are responsible for implementing or maintaining activities identified in the SWP3. Employee training must include the following, at a minimum:

a. proper material management and handling practices for specific chemicals, fluids, and other materials used or commonly encountered at the facility;
b. spill prevention methods;
c. the location of materials and equipment necessary for spill clean-up;
d. spill clean-up techniques;
e. proper spill reporting procedures; and
f. familiarization with good housekeeping measures, BMPs, and goals of the SWP3.

The schedule for employee training sessions must be developed based on pollutant potential, employee turnover rate, and other factors the permittee determines are applicable. Training must be conducted at least once per year and records of training activities and attendance lists must be maintained in the SWP3.

(2) Education. Education must be provided to those employees at the facility who are not directly responsible for implementing or maintaining activities identified in the SWP3, and who do not participate in the employee training program. At a minimum, these employees must be informed of the basic goal of the SWP3 and how to contact the stormwater pollution prevention team regarding stormwater issues.

5. Additional Documentation Requirements

(a) The following records must be kept with the SWP3, in addition to any records required elsewhere in this permit:

(1) A copy of the NOI submitted to TCEQ along with any correspondence exchanged between the permittee and TCEQ related to coverage under this permit;
(2) A copy of the acknowledgment letter from the TCEQ;
(3) If signatory authority is delegated by an authorized representative, then a copy of the formal notification to TCEQ (letter, email, Delegation of Signatories form) shall be filed in the SWP3 and made available for review upon request by TCEQ or local MS4 Operator.
(4) A copy of this permit (either paper or electronic version), either as part of the SWP3 or as an attachment to the SWP3 (sections in Part V of this general permit that are not related to the industrial activities at the site need not be included);
(5) Descriptions and dates of any incidences of significant spills, leaks, or other releases that resulted in the discharge of pollutants to surface waters;
a. the circumstances leading to the release and actions taken in response to the release; and
b. measures taken to prevent the recurrence of such releases;

(6) Records of employee training, including date(s) training received;

(7) Documentation of maintenance and repairs of control measures, including the date(s) of regular maintenance, date(s) of discovery of areas in need of repair/replacement, and for repairs, date(s) that the control measure(s) returned to full function, and the justification for any extended maintenance/repair schedules;

(8) Copies of inspection reports;

(9) Description of any corrective action taken at the site, including triggering event and dates when problems were discovered and modifications occurred;

(10) Documentation to support a claim that the facility has changed its status from active to inactive and unstaffed with respect to the requirements to conduct routine facility inspections, quarterly visual assessments, or benchmark monitoring; and

(11) Results of monitoring and inspection activities as described in Part III, Section B.

(b) Records - Records for each element described above in Part III, Section A.4., related to Pollution Prevention Measures and Controls, must either be included as an attachment to the SWP3 and retained on-site or made readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction. Records must document and describe maintenance activities, inspections, spills, discharge quality, employee training activities, employee education activities, SWP3 updates or modifications, and other events relative to each element.

6. SWP3 Review

The SWP3 must be maintained either at the site or be readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction. The SWP3 must be modified by the permittee as often as necessary. Each revision must be dated and all revisions must be retained according to Part III, Section D.5. The executive director may determine, following a review or site inspection, that the SWP3 is not sufficient and may require that the SWP3 be revised to correct all deficiencies;

Section B. Periodic Inspections and Monitoring

1. Inspection and Certification of Non-Stormwater Discharges

(a) Permit Coverage for Non-Stormwater Discharges. Non-stormwater discharges eligible for coverage are described in Part II, Section A.6. of this general permit and in the individual sections within Part V of this general permit. The permittee shall identify and evaluate all non-stormwater discharges that qualify for permit coverage. The SWP3 must include a list of the non-stormwater discharges at the facility, as well as the results of this evaluation.

(b) Investigation for Non-Stormwater Discharges. Within 180 days of filing an NOI for coverage (or a renewal NOI) the permittee shall conduct a survey of potential non-stormwater sources and shall provide the certification required in Part III, Section B.1.(c) below. The facility’s storm sewer system must be tested or inspected (e.g.,
screened for dry weather flows) for the presence of non-stormwater flows. Procedures must be evaluated and implemented to eliminate any potential sources that are discovered and are not permitted. The SWP3 must ensure that non-stormwater sources are not combined with stormwater discharges authorized by this permit unless otherwise allowable under Part II.B.5. of this general permit.

The SWP3 must be updated based on this evaluation to include the following:

1. the date that the evaluation occurred and description of the criteria used for evaluation;
2. the outfalls or onsite discharge points observed;
3. the different types of identified non-stormwater discharges and their source locations; and
4. appropriate BMPs for the non-stormwater discharges, or the actions taken or the control measures used to eliminate them.

(c) Inspection, Documentation, and Certification of Non-Stormwater Discharges. The SWP3 must include a certification, signed according to Part III, Section E.6.(c) of this general permit, relating to Signatory Requirements for Reports and Certifications, that states that the facility’s storm sewer system has been evaluated for the presence of non-stormwater discharges and that the discharge of non-permitted, non-stormwater does not occur. The certification must include documentation of how the evaluation was conducted, results of any testing, dates of evaluations or tests, and the portions of the storm sewer system that were observed during the inspection. The inspection for non-stormwater discharges must be completed and the certification must be prepared within 180 days after filing an NOI for permit coverage. The certification must be made readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction.

(d) Failure or Inability to Certify.

1. If a part of the storm sewer system cannot be accessed to complete the evaluation, certification must be provided for the remainder of the system. Notice of this inability to certify a portion of the storm sewer system must be provided to the TCEQ within 180 days after the NOI is submitted. Operators of facilities that contribute stormwater discharges to an MS4 shall provide notice of this inability to certify a portion of the storm sewer system to the MS4 operator upon request from the MS4 operator. The notice must include an explanation of why the evaluation could not be performed and a list of all known potential, non-permitted, non-stormwater sources that could not be included in the certification. The notification must be submitted to the TCEQ’s Enforcement Division (MC-224).

2. If, in the course of evaluating the storm sewer system, the permittee is unable to certify that non-permitted, non-stormwater discharges are not occurring due to non-compliance, then the certification must identify the non-compliance issues and the steps being taken to remedy and prevent further non-compliance.

2. Routine Facility Inspections

Qualified personnel, who are familiar with the industrial activities performed at the facility, shall conduct periodic routine facility inspections to determine the effectiveness of the Pollution Prevention Measures and Controls (Part III, Section A.4.). These inspections must include at least one member of the stormwater pollution prevention team.
(a) Inspections must be conducted at least once per quarter unless otherwise specified in Part V of this permit. If feasible, at least one of these routine facility inspections each calendar year must be conducted during a period when a stormwater discharge is occurring.

(b) The permittee shall document the findings of each routine facility inspection performed and shall maintain this documentation onsite with the SWP3.

(c) The inspections must be documented through the use of a checklist that is developed to include each of the controls and measures that are evaluated. At a minimum, the documentation of each routine facility inspection must include:

1. the inspection date and time;
2. the name(s) of the inspector(s);
3. weather information and a description of any discharges occurring at the time of the inspection;
4. any previously unidentified discharges of pollutants from the site;
5. any control measures (structural or non-structural) needing maintenance or repairs;
6. any failed control measures (structural or non-structural) that need replacement;
7. any incidents of non-compliance that are observed. An incident of non-compliance is any instance where an element of the SWP3 is either not implemented, or where specific conditions of the permit are not met;
8. any additional control measures needed to comply with the permit requirements; and
9. identification of any existing BMPs that are not being properly or completely implemented.

This documentation must be signed in accordance with Part III, Section E.6.(c) of this permit.

When revisions or additions to the SWP3 are recommended as a result of inspections, a summary description of these proposed changes must be attached to the inspection checklist. The summary must identify any necessary time frames required to implement the proposed changes. The routine facility inspection checklists must be made readily available for inspection and review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction.

3. **Quarterly Visual Monitoring**

Stormwater discharges from each outfall authorized by this general permit must be visually examined on a quarterly basis. Monitoring must be conducted during the normal hours of operation for the facility and samples must be collected in a clean, clear, glass or plastic container and examined in a well lit area.

(a) Findings must document observations of the following:

1. color;
2. clarity;
3. floating solids;
(4) settled solids;
(5) suspended solids;
(6) foam;
(7) oil sheen;
(8) other obvious indicators of stormwater pollution; and
(9) noticeable odors.

Some examinations, such as an examination for odor and foam, may necessarily be conducted immediately following collection of the sample.

(b) All examinations must be performed in a manner that ensures the sample is representative of the discharge (see Part III, Section D). If this is not possible, then the report must include the reason.

(c) Records of quarterly visual monitoring must include the following information, and the report must be included in the SWP3:

1. sample location(s);
2. date and time samples were collected and examined;
3. names of personnel who collected and examined the samples;
4. nature of the discharge (e.g., runoff, snowmelt);
5. results of the observations;
6. probable sources of any observed contamination;
7. visual quality of the stormwater discharge; and
8. the reason why any samples were not collected within the first 30 minutes of discharge.

(d) Results of the examination must be reviewed by the stormwater pollution prevention team. The team must investigate and identify probable sources of any observed stormwater contamination. The SWP3 must be modified as necessary to address the conclusions of the team.

(e) Part V of this general permit may include alternative schedules for visual monitoring at specific industrial sectors, and may include additional requirements.

4. Water Quality Monitoring Requirements

(a) The permittee shall monitor the discharge from the facility at all outfall(s) determined to be discharging a pollutant of concern at a level of concern under Part II, Section B.7, Impaired Water Bodies and Total Maximum Daily Load (TMDL) Requirements.

(b) The permittee may not establish substantially similar outfalls for sampling required under this section.

(c) The permittee shall monitor the discharge(s) from regulated industrial activities for the pollutant of concern at a frequency of once per year. For the following pollutants of concern, monitoring must be conducted for the following alternative pollutants, unless an alternate is approved in writing by TCEQ’s Wastewater Permitting Section (MC-148), or the TCEQ develops separate written guidance:

Pollutant(s) of Concern:
**Bacteria**: E.coli (for discharge to fresh water); or enterococci (for discharges to marine waters).

**Dissolved Oxygen**: BOD$_5$, COD, or both (based on the nature of the industrial activity, and whether there is an existing benchmark sampling requirement for the facility’s industrial sector).

**Nutrients**: Phosphorous (for discharges to fresh water); or Nitrogen (for discharges to marine waters), unless otherwise established in an applicable TMDL or TMDL Implementation Plan.

**Hazardous Metals**: Specific metal(s) listed in 303d list or the TMDL.

**Other**: If the impairment is due to a parameter for which there is not an obvious analytical test or benchmark value (e.g., sediment, fish tissue, etc.), the permittee shall contact the TCEQ for guidance on which pollutant(s) to monitor for, if any, and the TCEQ will respond in writing. The permittee shall retain this information with the SWP3.

The permittee may utilize the analytical results of sampling for other sections of this general permit to comply with this annual sampling requirements (e.g., hazardous metals sampling in Part III, Section C, or benchmark monitoring in Parts IV and V of this general permit).

(d) Sampling, monitoring, and analyses must be conducted according to procedures specified in Part III, Section E.4 of this permit unless otherwise specified and using test procedures with minimum analytical levels (MALs) at or below benchmark values for all the benchmark parameters for which sampling is required.

(e) Reporting: The permittee shall report the result of sampling for this section to the TCEQ by March 31 following the calendar year in which the samples were collected. Results must be submitted to the TCEQ's Stormwater & Pretreatment Team (MC-148).

(f) If sampling results indicate that the pollutant is present below the level of concern (e.g., the analytical result is below the benchmark values in Part V of this permit) or is not present (e.g., analytical result is below the MAL), then the permittee may discontinue sampling under this section for the remainder of the permit term.

5. **Annual Comprehensive Site Compliance Inspection**

The comprehensive site compliance inspection is a required site evaluation and an overall assessment of the effectiveness of the current SWP3. This inspection is in addition to other routine inspections required by the permit; however, it may substitute for a routine facility inspection if it is conducted during the regularly scheduled period of the routine facility inspection and the scope of the inspection is sufficient enough to address both the minimum requirements of the routine inspection and the comprehensive site compliance inspection.

(a) General Requirements. The comprehensive site compliance inspection must be conducted at least once each permit year by one or more qualified employees or designated representatives, including at least one member of the stormwater pollution prevention team. The inspection must include an examination and assessment of:

1. all areas identified in the Inventory of Exposed Materials section of the SWP3;
2. all structural controls, including the maintenance and effectiveness;
3. all non-structural controls (e.g., good housekeeping measures, scheduling, etc.);
(4) all areas where spills and leaks have occurred in the past three (3) years;
(5) all reasonably accessible areas immediately downstream of each outfall that is authorized under this general permit;
(6) industrial materials, residue, or trash that may have or could come into contact with stormwater;
(7) leaks or spills from industrial equipment, drums, tanks, and other containers;
(8) offsite tracking of industrial or waste materials, or sediment where vehicles enter or exit the site;
(9) tracking or blowing of raw, final, or waste materials from areas of no exposure to exposed areas;
(10) a review of the results of the past year’s visual and analytical monitoring when planning and conducting inspections that are required by this general permit; and
(11) any control measures needing replacement, maintenance, or repair.

(b) Annual Comprehensive Site Compliance Inspection Report. Within 30 days of performing the annual site compliance inspection, the permittee shall prepare a report that includes a narrative discussion of compliance with the current SWP3. The report must be signed and certified in accordance with Part III, Section E.6.(c) of this permit, and must either be included as a part of the SWP3 or referenced in the SWP3 and be made readily available for inspection and review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction. The report must document all of the following information:

(1) name(s) and title(s) of the personnel conducting the inspection;
(2) the date(s) of the inspection;
(3) findings from the inspection of areas of the facility;
(4) observations relating to the implementation of control measures:
   a. previously unidentified discharges from the site;
   b. previously unidentified pollutants in existing discharges;
   c. evidence of, or the potential for, pollutants entering the drainage system;
   d. evidence of pollutants discharging to receiving waters, and the condition of and around each outfall; and
   e. additional control measures needed to address any conditions requiring corrective action identified during the inspection.
(5) revisions to the SWP3 made as a result of the inspection; and
(6) any incidents of non-compliance:
   a. An incident of non-compliance is any instance where an element of the SWP3 is either not implemented, or where specific conditions of the permit are not met.
   b. If no incidents of non-compliance are discovered, the report must contain a certification by the permittee that the facility, or in the case of a shared SWP3, the portion of the facility the permittee is responsible for, is in compliance with the SWP3.
c. If an incident or incidents of non-compliance is identified, then the report must include all necessary actions to remedy the non-compliance. The identified actions must be completed as soon as practicable, but no later than 12 weeks following the completion of the report.

(c) Revision of the SWP3. Within 12 weeks following the completion of the Annual Site Compliance Inspection Report, the permittee shall revise and implement the SWP3 to include and address the findings of the report. Revisions must include all changes resulting from the report and all applicable updates to the following:

1. elements of the SWP3 requiring modification;
2. controls (e.g. structural controls or BMPs) that should be added or modified;
3. site map;
4. inventory of exposed materials;
5. description of the good housekeeping measures;
6. description of structural and non-structural controls; and
7. any other element of the plan that was either found to be inaccurate or will be modified.

6. Results of Inspections and Monitoring

If the findings of the inspections and monitoring activities in this section demonstrate compliance with the general permit, then the results of the monitoring are not required to be submitted to the TCEQ, unless specifically requested to do so. If the findings of the inspections and monitoring activities described in this section demonstrate non-compliance, the permittee shall submit the results to the TCEQ in accordance with Part III, Section E.6.

7. Exceptions to Periodic Inspections and Monitoring

Refer to Part III, Section D.4. for exceptions related to adverse weather conditions and inactive and unstaffed sites.

Section C. Numeric Effluent Limitations

1. Discharges of Stormwater Runoff

(a) Numeric Limitations for Hazardous Metals.

Table 1. Daily Maximum Effluent Limitation

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

(b) Daily Maximum Effluent Limitation. A grab sample must be collected at a minimum frequency of once per year at the final outfall or a designated sampling location (also see Part III, Section D.2.). For the purpose of collecting samples for hazardous metals, all designated sampling points must be representative of the discharge(s) from the facility that would reach surface water in the state.

(1) Samples of discharges collected at the final outfall must be collected either immediately prior to entering surface water in the state or immediately prior to leaving the permitted facility property.

(2) Samples of discharges collected at a designated sampling point must be collected in accordance with the requirements in Part III, Section E.4. of this permit.

A designated sampling point must be established when it can be determined that samples taken at a final outfall, as described in Part III, Section C.1.(b)(1) above, would not be considered representative of the discharge from the facility.

(3) If there is not an obvious outfall location, a designated sampling point may need to be created in accordance with the requirement in Part III, Section E.4.(a) of this permit.

(c) Reporting Requirements.

(1) Results of monitoring for determining compliance with numeric effluent limitations must be recorded on a discharge monitoring report (DMR). The DMR must either be an original EPA No. 3320-1 form, a duplicate of the form, or as otherwise provided by the executive director.

(2) Effective December 21, 2016, analytical results for determining compliance with effluent limitations shall be submitted online using the NetDMR reporting system available through the TCEQ website unless the permittee requests and obtains an electronic reporting waiver. Permittees that are issued an electronic reporting waiver shall submit analytical results to the TCEQ Enforcement Division (MC-224) on an approved DMR form (EPA No. 3320-1).

(3) Monitoring must be conducted prior to December 31st for each annual monitoring period and the results must be reported as required in Part III, Section E.6. of this permit. A copy of the DMR must either be retained at the facility or must be made readily available for review upon request by authorized TCEQ personnel as well as
any local pollution control agency with jurisdiction by March 31st following the annual monitoring period.

(4) If the results indicate the violation of one or more of the numeric limitations listed above in Part III, Section C.1.(a), the permittee shall also submit the DMR to the TCEQ’s Information Resources Division, Central File Room (MC-213) by March 31st following the annual monitoring period in which the violation(s) occurred.

(d) Waiver from Numeric Effluent Limitation. Permittees qualify for a waiver from monitoring requirements for one or more hazardous metal if one of the following criteria is met, and the waiver is obtained by certifying the conditions exist. This certification must be completed on a form provided by the executive director. A new form must be completed during each permit term, no later than prior to the first sampling event that the permittee is seeking to waive. The form must be either maintained onsite or made readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction. Waivers may be obtained on a metal by metal basis, or on an outfall by outfall basis:

(1) the permittee certifies that the regulated facility does not use a raw material, produce an intermediate product, or produce a final product that contains one (1) or more of the hazardous metals listed at Part III, Section C.1.(a) of this permit; or

(2) the permittee certifies that any raw materials, intermediate products, or final products that contain one or more hazardous metal are never exposed to stormwater or runoff (final products are not considered to expose hazardous metals to stormwater or runoff if the final product is designed for outdoor use, unless it is a product that could be transported by stormwater runoff or the final product will be used as a material or intermediate product); or

(3) the permittee collects a sample from the first available discharge from the facility occurring during first sampling period of this permit, analyzes the sample for one or more of the listed hazardous metals, and the results indicate that the metal(s) is/are not present in detectable levels. Test methods used must be sensitive enough to detect the following parameters at the minimum analytical level (MAL) specified below, and results of sampling must be retained on site and available for review by TCEQ personnel:

**Table 2. Minimum Analytical Levels (MAL) for Hazardous Metals**

<table>
<thead>
<tr>
<th>Pollutants</th>
<th>MAL (mg/L)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arsenic, total</td>
<td>0.0005</td>
</tr>
<tr>
<td>Barium, total</td>
<td>0.003</td>
</tr>
<tr>
<td>Cadmium, total</td>
<td>0.001</td>
</tr>
<tr>
<td>Chromium, total</td>
<td>0.003</td>
</tr>
<tr>
<td>Copper, total</td>
<td>0.002</td>
</tr>
<tr>
<td>Lead, total</td>
<td>0.0005</td>
</tr>
<tr>
<td>Manganese, total</td>
<td>0.0005</td>
</tr>
<tr>
<td>Mercury, total</td>
<td>0.000005</td>
</tr>
<tr>
<td>Nickel, total</td>
<td>0.002</td>
</tr>
<tr>
<td>Pollutants</td>
<td>MAL (mg/L)</td>
</tr>
<tr>
<td>---------------</td>
<td>------------</td>
</tr>
<tr>
<td>Selenium, total</td>
<td>0.005</td>
</tr>
<tr>
<td>Silver, total</td>
<td>0.0005</td>
</tr>
<tr>
<td>Zinc, total</td>
<td>0.005</td>
</tr>
</tbody>
</table>

When an analysis of a discharge sample for any of the parameters listed above indicates no detectable levels above the MAL, and the test method detection level is as sensitive as the specified MAL, a value of zero (0) may be used for that measurement, and a waiver may be obtained for the duration of the permit term following the sample collection, for any hazardous metal that measures zero (0).

(4) Hazardous metals monitoring waivers are effective beginning on the date that the waiver certification is made following submittal of an NOI, and lasting for the duration of the term of this general permit. The permittee will be required to comply with any requirements of a reissued general permit with respect to sampling and waivers, including obtaining a new hazardous metals monitoring waiver (see the criteria listed above).

(e) Relation to Benchmark Monitoring. If a facility is required to sample for any of the above hazardous metals as part of the benchmark requirements in Part V of this permit, then the permittee is subject to the effluent limitations listed in Part III, Section C.1. of this general permit for those hazardous metals sampled at a final outfall as part of benchmark monitoring. There are no waivers available for pollutants that are required in Part V of the general permit. If sampling for benchmark metals is not performed at a final outfall, then the above effluent limits may not apply for the benchmark sample if the sample is not representative of the discharge from the site. In this situation, the discharge must also be sampled at each final outfall to comply with the sampling and analyses requirements of this section.

2. Discharges Subject to Federal Categorical Guidelines

Part V of this general permit includes additional effluent limitations for certain stormwater discharges as required under 40 CFR Subchapter N (Parts 400-471). The permittee is subject to the sampling and reporting requirements as stipulated in the applicable sections of Part III, Section D, and Part V of this general permit.

Section D. General Monitoring and Records Requirements

1. Qualifying Storm Events

For purposes of the MSGP, a qualifying storm event as an event that results in a discharge from the permitted facility. For qualifying storm events, the following requirements apply:

(a) Monitoring, sampling, examinations, and inspections of stormwater discharges that are required as a provision of this general permit must be conducted on discharges from a measurable storm event that results in an actual discharge from the site, and that follows the preceding measurable storm event by at least 72 hours (3 days). The 72-hour storm interval does not apply if the permittee is able to document in the SWP3 that less than a 72-hour (3-day) interval is representative for local qualifying storm events during the sampling period. In the case of snowmelt, the monitoring must be performed at a time when a measurable discharge occurs at the site.
(b) A facility that has retention ponds as BMPs will not always have a discharge from the pond(s) immediately following a qualifying storm event. If any storm events occurred prior to discharge from the outfall, regardless of the time period between the last storm event and the discharge, the permittee may consider the discharge to be the result of the previous qualifying storm event.

(c) The permittee shall maintain a rain gauge on-site to determine when a qualifying storm event occurs. The rain gauge must be monitored a minimum of once per week, and once per day during storm events. Records of the date and rainfall total must be retained on-site or made readily available for review. If there is no rain during a given week, the permittee shall monitor and record a zero rainfall total or no rain for the week. Rain gauge monitoring and recordkeeping may be temporarily suspended during a given monitoring period if a qualifying storm event has occurred and the required sampling and analyses or visual observations have been performed.

2. Representative Discharge Samples

(a) All samples must be representative of the discharge.

(1) Sampling should be conducted within the first 30 minutes of discharge using a grab sample. Sampling from retention ponds described in Part III, Section D.1.b. above should be conducted within 30 minutes of the initiation of discharge from the pond. If it is not practicable to collect the sample or to complete the sampling within the first 30 minutes, then sampling must be completed within the first hour of discharge.

If sampling is not completed within the first 30 minutes of discharge, the reason must be documented and attached to all required reports and records of the sampling activity.

In the case of snowmelt, samples must be taken during a period with a measurable discharge.

(2) If alternate sampling requirements are defined in the permit where numeric effluent limitations have been established, the permittee shall comply with the requirements described in the section with the numerical effluent limits; however, other applicable portions of this section will still apply.

(3) Authorized Stormwater Discharges that Combine with Other Permitted Flows. If stormwater discharges authorized under this general permit combine with other stormwater or with wastewater authorized under a separate permit, then sampling must be conducted at a point before the waters combine.

(4) Non-Stormwater Discharges. Monitoring of allowable non-stormwater discharges is only required when they are commingled with stormwater discharges associated with industrial activity.

(b) Representative Discharges from Substantially Similar Outfalls.

(1) Monitoring requirements apply to all outfalls authorized by this permit, unless the permittee establishes substantially similar outfall(s). If discharges of stormwater through two (2) or more outfalls show substantially similar effluents, then sampling and monitoring may be conducted at only one (1) of those outfalls that are substantially similar, and the results may be reported as representative of the discharge from the substantially similar outfall(s).
Before results may be submitted as representative of discharges from substantially similar outfalls, the permittee shall ensure that the SWP3 includes a description of all outfall locations and a detailed justification of why the discharge qualities from the outfalls are substantially similar.

To determine if outfalls are substantially similar, the following characteristics of each outfall must be compared:

a. the industrial activities that occur in the drainage area to each outfall;

b. significant materials stored or handled within the drainage area to each outfall; and

c. the management practices and pollution control structures that occur within the drainage area of each outfall.

(2) Substantially similar outfalls may be established for the following monitoring requirements described in this general permit:

a. Quarterly Visual Monitoring (Part III, Section B.3);

b. Hazardous Metals Monitoring (Part III, Section C); and

c. Benchmark Monitoring (Parts IV and V)

(3) Substantially similar outfalls may not be established for the following:

a. Outfalls with any non-stormwater discharges; and

b. Outfalls with discharges subject to numeric effluent limits listed in Part V (sector-specific effluent limits).

(4) The following information must be documented in the SWP3 if the substantially similar outfall exception is being used for any required monitoring:

a. location of each of the substantially similar outfalls;

b. description of the general industrial activities conducted in the drainage area of each outfall;

c. description of the control measures implemented in the drainage area of each outfall;

d. description of the exposed materials located in the drainage area of each outfall that are likely to be significant contributors of pollutants to stormwater discharges;

e. estimate of the runoff coefficient of the drainage areas;

f. explanation regarding why the outfalls are expected to discharge substantially similar effluents; and

g. assurance that control measures have been assessed and modified as appropriate for each outfall represented by the monitored outfall, if necessary due to stormwater contamination being identified through visual assessment of substantially similar outfall.

3. Monitoring Periods

(a) Sampling, inspections, and examinations that are required on a quarterly basis must be conducted during the following periods:
First (1st) quarter - January 1 thru March 31;  
Second (2nd) quarter - April 1 thru June 30;  
Third (3rd) quarter - July 1 thru September 30; and  
Fourth (4th) quarter - October 1 thru December 31.

Permittees shall begin required sampling, inspections, and examinations on a quarterly basis in the first full quarter following submission of a NOI.

(b) Sampling, inspections, and examinations that are required on a semiannual basis must be conducted during the following periods:

First (1st) period - January 1 thru June 30; and  
Second (2nd) period - July 1 thru December 31.

Permittees shall begin required sampling, inspections, and examinations on a semiannual basis in the first full period following submission of a NOI.

(c) Monitoring, inspections, and examinations that are required on an annual basis must be conducted before December 31st of each calendar year, beginning with the calendar year that includes the first full quarter following submittal of an NOI.

4. Exceptions to Monitoring Requirements

(a) Adverse Conditions.

(1) Requirements to sample, inspect, examine or otherwise monitor stormwater discharges within a prescribed monitoring period may be temporarily suspended for adverse conditions. Adverse conditions are conditions that are either dangerous to personnel (e.g., high wind, excessive lightning) or conditions that prohibit access to a discharge (e.g., flooding, freezing conditions, extended periods of drought). Adverse conditions that result in the temporary suspension of a permit requirement to sample, inspect, examine, or otherwise monitor stormwater discharges must be documented and included as part of the SWP3. Documentation must include the date, time, names of personnel that witnessed the adverse condition, and the nature of the adverse condition.

(2) Monitoring Waivers. When monitoring is temporarily suspended due to adverse conditions, that monitoring must be conducted in the next monitoring period, in addition to any monitoring required for that period. If the temporarily suspended monitoring requirement cannot be fulfilled during the next monitoring period due to continued adverse conditions, then it is permanently waived for both monitoring periods.

(3) The SWP3 must include records of why monitoring was temporarily suspended due to adverse conditions.

(b) Inactive Facilities. Permitted facilities in this inactive status must provide written notice to the executive director of this status. Following this notification, permit requirements to sample, inspect, examine, or otherwise monitor stormwater discharges are waived during the period that a facility maintains inactive status, unless the requirements in Part V. of this permit include specific requirements for inactive facilities.

Inactive facilities must notify the executive director in writing at least 48 hours before commencing industrial activities and transferring to active status.
5. **Records Retention**

Monitoring and reporting records, copies of all other records required by this general permit, and records of all data used to complete the application for this general permit must be retained at the facility or must be made readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction for a period of three (3) years from the date of the record or sample, measurement, report, application, or certification. This period must be extended at the request of the executive director.

The SWP3 must be maintained, and be made readily available for inspection and review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction. Additionally, a copy of all SWP3s for the preceding three (3) year period must be maintained and made readily available for review. In circumstances where the number of revisions to the SWP3 makes this requirement burdensome, a log or record of revisions for the preceding three (3) year period may be maintained and made available.

If the general permit is terminated or allowed to expire without renewal, the SWP3 must be maintained and made readily available for review for a minimum period of one (1) year following cessation of permit coverage.

6. **Monitoring and Inspection Documentation**

The procedures for conducting the required analytical monitoring must be documented in the SWP3.

(a) For each type of monitoring required in the permit, the SWP3 must include the following:

1. a list of locations where samples are collected, including any determination that two (2) or more stormwater only outfalls are considered to be substantially similar;
2. parameters that must be sampled, including the frequency of sampling for each parameter;
3. schedules for conducting monitoring activities;
4. any numeric control values applicable to discharges from each outfall (e.g., benchmark sampling levels, numeric effluent limitations, or other requirements); and
5. procedures for gathering storm event data.

(b) if the permittee is not conducting monitoring due to claiming an inactive and unstaffed site, the information to support this claim must be included in the SWP3.

(c) The procedures for performing the inspections specified by this permit must be documented in the SWP3, including routine facility inspections, quarterly visual assessment of stormwater discharges, and comprehensive site inspections.

For each type of inspection performed, the SWP3 must identify the person(s) or positions of person(s) responsible for inspection; schedules for conducting inspections, including tentative schedule for facilities in climates with irregular stormwater runoff discharges; and specific items to be covered by the inspection, including schedules for specific outfalls.
Section E. Standard Permit Conditions

30 TAC Chapter 305 requires certain regulations appear as standard conditions in waste discharge permits. 30 TAC §§305.121 - 305.129, Subchapter F, Permit Characteristics and Conditions, as promulgated under the TWC §§5.103 and 5.105, the Texas Health and Safety Code §§361.017 and 361.024(a), and those sections of 40 CFR Part 122 adopted by reference by the Commission, establish the characteristics and standards for waste discharge permits. This section includes these conditions and incorporates them into this general permit. More specific requirements for some of these standard permit conditions may be defined for specific sectors of industrial activity that are authorized to discharge under this general permit.

1. General Conditions

(a) Duty to Comply.

(1) Submission of an NOI for permit coverage is an acknowledgment that the applicant agrees to comply with the conditions of the general permit. Acceptance of authorization under the provisions of this general permit constitutes acknowledgment and agreement that the permittee will comply with all the terms and conditions embodied in the permit, and the rules and other orders of the Commission.

(2) The permittee has a duty to comply with all conditions of the permit. Failure to comply with any permit condition constitutes a violation of the permit and the Texas Water Code or the Texas Health and Safety Code and is grounds for enforcement action, for revocation or suspension of coverage under this general permit, and for requiring a permittee to apply for a TPDES individual permit or coverage under an alternative general permit.

(b) Toxic Pollutants.

(1) If any toxic effluent standard or prohibition is promulgated according to the TWC §26.023 for a toxic pollutant that is present in the discharge and that standard or prohibition is more stringent than the conditions of this general permit, this general permit must be modified or revoked and reissued to conform to the toxic effluent standard or prohibition.

(2) The permittee shall comply with effluent standards or prohibitions established according to the TWC §26.023 for toxic pollutants within the time provided in the regulations that established those standards or prohibitions, even if this general permit has not yet been modified to incorporate the requirement.

(c) Permit Flexibility. Authorization under this general permit may be modified, suspended or revoked for cause according to 30 TAC §§305.62 and 305.66 and the TWC Section §7.302. The filing of a notice of planned changes or anticipated non-compliance does not stay any permit condition.

(d) Property Rights. A permit does not convey any property rights of any sort, or any exclusive privilege.

(e) Duty to Provide Information. The permittee shall furnish to the executive director, upon request, any information, including records that are maintained as a requirement of this permit, necessary to determine whether cause exists for revoking, suspending, or terminating authorization under this general permit.

(f) Criminal and Civil Liability.
(1) As provided by state law, the permittee is subject to administrative, civil and criminal penalties, as applicable, for negligently or knowingly violating the CWA, the TWC, Chapters 26, 27, and 28, and Texas Health and Safety Code, Chapter 361, including but not limited to: knowingly making any false statement, representation, or certification on any report, record, or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance; falsifying or tampering with or knowingly rendering inaccurate any monitoring device or method required by this permit; or violating any other requirement imposed by state or federal regulations. Nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for non-compliance.

(2) Any false or materially misleading representation or concealment of information required to be reported by the provisions of the permit or applicable regulation, which avoids or effectively defeats the regulatory purpose of this general permit, may subject the permittee to criminal enforcement.

(g) Severability. The provisions of this general permit are severable and if any provision of this permit or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this general permit, shall not be affected thereby.

2. Proper Operation and Maintenance

(a) Need to Halt or Reduce Not a Defense. It is not a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this general permit.

(b) Duty to Mitigate. The permittee shall take all reasonable steps to minimize or prevent any discharge or other permit violation that has a reasonable likelihood of adversely affecting human health or the environment.

(c) Operation of Treatment and Control Systems.

(1) The permittee shall at all times ensure that the facility and all of its systems of collection, treatment, and disposal are properly operated and maintained in a manner that will minimize discharges of excessive pollutants and will achieve compliance with the conditions of this permit. Proper operation and maintenance also include adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary systems that are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

(2) The permittee shall provide an adequate operating staff that is duly qualified to carry out operation, maintenance, and testing functions required to ensure compliance with the conditions of this general permit.

(d) Anticipated Non-compliance. The permittee shall give advance notice to the executive director of any planned changes in the permitted facility or activity that may result in non-compliance with permit requirements.

3. Inspection and Entry Requirements

(a) Inspection and Entry. Inspection and entry must be allowed as prescribed in the TWC Chapters 26, 27, and 28, and Texas Health and Safety Code Chapter 361.
(b) Entry to Public or Private Property. The members of the Commission and employees and agents of the Commission are entitled to enter any public or private property at any reasonable time for the purpose of inspecting and investigating conditions relating to the quality of surface water in the state or the compliance with any rule, regulation, permit or other order of the Commission. Members, employees, or agents of the Commission and Commission contractors are entitled to enter public or private property at any reasonable time to investigate or monitor or, if the responsible party is not responsive or there is an immediate danger to public health or the environment, to remove or remediate a condition related to the quality of surface water in the state. Members, employees, Commission contractors, or agents acting under this authority who enter private property shall observe the establishment’s rules and regulations concerning safety, internal security, and fire protection, and if the property has management in residence, shall notify management or the person then in charge of his presence and shall exhibit proper credentials. If any member, employee, Commission contractor, or agent is refused the right to enter in or on public or private property under this authority, the executive director may invoke the remedies authorized in TWC §7.002.

4. Monitoring and Sampling

(a) Representative Sampling. Samples and measurements taken for the purpose of monitoring must be representative of the monitored activity or activities and must be taken at an outfall or outfalls that will best represent the types of industrial activity or activities conducted at a facility site. If no obvious outfall location is present (e.g., a diffuse point source), the permittee may need to create a sampling point. This may include creating a depression or using physical means (e.g., sandbags or curbs) to direct the runoff for easier collection for sampling and measurement purposes.

(b) Benchmark Monitoring. This type of monitoring differs from monitoring for compliance with numeric effluent limitations. Results from benchmark monitoring are used to determine if the selected BMPs are effective. The samples should be collected from internal or external outfalls where the BMPs are installed.

(c) Monitoring Procedures.

(1) Unless otherwise specified in this permit, test procedures for the analysis of pollutants shall comply with procedures specified in 30 TAC §§319.11 - 319.12.

(2) All laboratory tests submitted to demonstrate compliance with this permit must meet the requirements of 30 TAC Chapter 25, Environmental Testing Laboratory Accreditation and Certification.

(d) Monitoring Results. Monitoring results must be provided at the intervals specified in this general permit.

(e) Additional Monitoring by the Permittee. If the permittee monitors any pollutant more frequently than required by this general permit using approved analytical methods, all results of the monitoring must be included in the calculation and reporting of the values recorded on the DMR form and must be included in any other calculation, record, or reports required to be maintained as a provision of this general permit. Increased frequency of sampling must be indicated on the DMR.

5. Records Requirements

(a) Retention of Records.
The period records are required to be retained must be automatically extended to the date of the final disposition of any administrative or judicial enforcement action that may be instituted against the permittee.

Monitoring and reporting records, including records of calibration and maintenance, and copies of all records and reports required by this permit, must be retained at the facility or must be readily available for review by a TCEQ representative for a period of three years from the date of the record or sample, measurement, report, application or certification unless otherwise specified in this permit. This period must be extended at the request of the executive director.

(b) Record Contents.

Records of monitoring must include, at a minimum, the following:

1. date, time, and place of sample or measurement;
2. identity of the individual who collected the sample, made the measurement or observation, or performed the analysis;
3. date and time the sample, measurement, or observation was made, and the analysis conducted;
4. identity of the individual and laboratory who performed the analysis;
5. technique or method of analysis;
6. results of the measurement, observation, or analysis; and
7. quality assurance/quality control records.

6. Reporting Requirements

(a) Self-Reporting of Numeric Effluent Limits Results.

1. Results of analyses for determining compliance with numeric effluent limitations must be recorded on a discharge monitoring report (DMR). Effective December 21, 2016, DMRs shall be submitted online using the NetDMR reporting system available through the TCEQ website unless the permittee requests and obtains an electronic reporting waiver. Permittees that are issued an electronic reporting waiver shall submit analytical results to the TCEQ Enforcement Division (MC-224) on an approved DMR form (EPA No. 3320-1). Effluent sampling shall be conducted in accordance with the monitoring frequencies specified in this general permit.

2. Monitoring must be conducted prior to December 31st for each annual monitoring period. Results of the monitoring must be recorded on a DMR and made available by March 31 of the following year as described below:

3. DMRs for hazardous metals sampling (see Part III, Section C.1. of this general permit) must either be retained at the facility or must be otherwise made readily available for review upon request by March 31st of the following year.

4. In addition, DMRs for the following sampling results must be submitted to the TCEQ at the address shown on the DMR, and to the appropriate TCEQ Regional Office:

a. Non-compliance with any effluent limit (e.g. hazardous metals effluent limits) (also see Part III, Section E.6.(b) below), or
b. Results of all sampling and monitoring performed to comply with effluent limitations guidelines, or ELGs (40 CFR Parts 400 through 471) as described in Part V of this permit (See Part V, Sections A.7., C.4., D.4., E.5., J.6., O.5., and S.6). If no discharge occurs from facilities subject to ELGs under these sections, a DMR must be submitted that indicates no discharge occurred during the reporting period. In addition to reporting requirements for numeric effluent limits that are recorded on DMRs, the permittee shall report to the TCEQ the results of all sampling and monitoring performed to comply with any non-numeric as described in Part V of this permit, and this information shall be submitted along with the DMR form, by March 31 of each year.

(b) Non-compliance Notification.

(1) According to 30 TAC §305.125(9) any non-compliance that may endanger human health or safety, or the environment, must be reported by the permittee to the TCEQ. Report of such information must be provided orally or by electronic facsimile transmission (fax) to the TCEQ regional office within 24 hours of becoming aware of the non-compliance. A written report must be provided by the permittee to the TCEQ regional office and to the TCEQ Enforcement Division (MC-224) within five working days of becoming aware of the non-compliance. The written report must contain:

a. a description of the non-compliance and its cause;

b. the potential danger to human health or safety, or the environment;

c. the period of non-compliance, including exact dates and times;

d. if the non-compliance has not been corrected, the anticipated time it is expected to continue; and

e. steps taken or planned to reduce, eliminate, and prevent recurrence of the non-compliance, and to mitigate its adverse effects.

(2) In addition to the above, any violation that deviates from the permitted effluent limitation by more than 40% must be reported in writing to the appropriate TCEQ regional office and to the Enforcement Division (MC-224) within five working days of becoming aware of the non-compliance.

(3) Other Non-compliance.

In addition to the reporting requirements listed in Part III, Sections E.6.(b)(1) and (2) above, any non-compliance with the permit must be reported in writing to the TCEQ:

a. Non-compliance with an effluent limitation for a discharge subject to federal numeric effluent limitations guidelines (40 CFR Subchapter N – Parts 400-471) must be recorded on a DMR. All DMRs recording the compliant annual sampling results must be submitted to the appropriate regional office of the TCEQ by March 31st of the following year, in accordance with Part III, Section E.6.(a)(1) above. This requirement is in addition to the reporting requirement for all results of ELG sampling as described in Part III, Section E.6.(a)(4) above.

b. Any non-compliance with an effluent limit for any of the hazardous metals required in Part III, Section C.1 of this permit must be recorded on a DMR and reported at a frequency of at least once per year. The DMR must be submitted
by March 31st of the following year, in accordance with Part III, Section E.6.(a)(1) above.

c. Any other non-compliance(s) as described in Part III.B.5(b)(6)(a) must be reported to the TCEQ by March 31 following the calendar year in which the non-compliance(s) occurred. The permittee shall report any additional non-compliance(s) not described above under this paragraph to the TCEQ, Information Resource Division, MC-213, or to the address shown on a reporting form, if one is made available by TCEQ. The permittee may meet this requirement by submitting a copy of the Annual Comprehensive Site Compliance Inspection Report (see Part III, Section B.5.(b) or by submitting a narrative explanation of the non-compliance(s).

(c) Signatory Requirements for Reports and Certifications. All reports and certifications required in this permit or otherwise requested by the executive director must be signed by the person and in the manner required by 30 TAC §305.128 (relating to Signatories to Reports).

(d) Other Information. When the permittee becomes aware that it either submitted incorrect information or failed to submit any relevant facts on an NOI, NOT, NEC, NOC, or any report, it must promptly submit the facts or information to the executive director.

7. Solid Waste

(a) Industrial Solid Waste

Facilities that generate industrial solid waste as defined in 30 TAC §335.1 must comply with these provisions:

(1) Any solid waste, as defined in 30 TAC §335.1, generated by the permittee during the management and treatment of stormwater, must be managed according to all applicable provisions of 30 TAC Chapter 335, relating to Industrial Solid Waste and Municipal Hazardous Waste.

For the purpose of stormwater treatment, a solid waste management unit includes structural controls such as detention ponds, retention ponds, or other similar dedicated ponds used for removal of pollutants in stormwater, and does not include other control structures such as berms; grass swales; pipes and ditches (or similar stormwater conveyances); or silt fences.

(2) Stormwater that is being collected, accumulated, stored, or processed within a solid waste management unit, before discharge through any final outfall authorized by this permit, is considered to be solid waste until the stormwater passes through the actual point source discharge, and must be managed according to all applicable provisions of 30 TAC Chapter 335.

(3) The permittee shall provide written notification, pursuant to the requirements of 30 TAC §335.6, to the Corrective Action Section (MC-127) of the Remediation Division informing the Commission of any closure activity involving a Solid Waste Management Unit, at least 90 days prior to conducting such an activity.

(4) Construction of any solid waste management unit requires the prior written notification of the proposed activity, pursuant to the requirements of 30 TAC §335.6(a) to the Registration and Reporting Section (MC 129) of the Permitting
(5) and Registration Support Division. No person shall dispose of industrial solid waste or municipal hazardous waste, including sludge or other solids from stormwater treatment processes, prior to fulfilling the deed recordation requirements of 30 TAC §335.5.

(6) The permittee shall keep management records for all sludge or other waste removed from any stormwater treatment process. These records must fulfill all applicable requirements of 30 TAC Chapter 335 and must include the following, as it pertains to wastewater treatment and discharge:

a. volume of waste and date generated from treatment process;
b. volume of waste disposed of onsite or shipped off-site;
c. date of disposal;
d. identity of hauler or transporter;
e. location of disposal site; and
f. method of final disposal.

The above records must be updated on a monthly basis. The records must be retained at the facility or must be readily available for review by authorized representatives of the TCEQ for at least five years.

(b) Municipal Solid Waste

All facilities regulated under this general permit that generate municipal solid waste must comply with applicable rules and regulations, including 30 TAC Chapter 330.

**Part IV. BENCHMARK MONITORING REQUIREMENTS**

Certain industrial activities are required to conduct additional sampling for the purpose of characterizing the discharge from the regulated activity (ies). The following sectors are required to conduct benchmark sampling:

**Table 3. List of sectors with monitoring requirements, benchmark parameters, and benchmark levels.**

<table>
<thead>
<tr>
<th>Sector(s) with Monitoring Requirements</th>
<th>Benchmark Parameter</th>
<th>Benchmark Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>C, E, F, H, M, N, Q, AA</td>
<td>Aluminum, total</td>
<td>1.2 mg/L</td>
</tr>
<tr>
<td>K, S</td>
<td>Ammonia-Nitrogen</td>
<td>1.7 mg/L</td>
</tr>
<tr>
<td>G</td>
<td>Antimony, total</td>
<td>0.636 mg/L</td>
</tr>
<tr>
<td>A, K</td>
<td>Arsenic, total</td>
<td>0.01 mg/L</td>
</tr>
<tr>
<td>G</td>
<td>Beryllium, total</td>
<td>0.13 mg/L</td>
</tr>
<tr>
<td>T</td>
<td>BOD5</td>
<td>20 mg/L</td>
</tr>
<tr>
<td>G</td>
<td>Cadmium, total</td>
<td>0.001 mg/L</td>
</tr>
<tr>
<td>A, B, G, K, N, S, U, AD</td>
<td>COD</td>
<td>60 mg/L</td>
</tr>
<tr>
<td>A, F, G, N</td>
<td>Copper, total</td>
<td>0.03 mg/L</td>
</tr>
<tr>
<td>K</td>
<td>Cyanide, total</td>
<td>0.02 mg/L</td>
</tr>
<tr>
<td>C, E, F, G, H, L, M, N, O, Q, AA</td>
<td>Iron, total</td>
<td>1.3 mg/L</td>
</tr>
<tr>
<td>C, G, K, M, N, Q</td>
<td>Lead, total</td>
<td>0.01 mg/L</td>
</tr>
</tbody>
</table>
### Section A. Use of Benchmark Data

#### 1. Monitoring for Benchmark Parameters in Discharges

The permittee shall monitor the discharge(s) from regulated industrial activities as required in Part III.E.4(b) and Part V of this general permit, for the benchmark parameters specified within each section of Part V. Benchmark monitoring is required for the industrial sector(s) listed in Part V of this permit that are applicable to the permittee’s facility/site. This includes the primary industrial activity and any co-located industrial activities (i.e., secondary industrial activities) that are conducted at the site and are described in this permit.

(a) The permittee shall compare the results of the benchmark analyses to the benchmark values for any pollutant(s) that the permittee is required to monitor according to Part V of this general permit, and shall include this comparison in the overall assessment of the SWP3’s effectiveness. Analytical results that exceed a benchmark value are not a violation of this permit, as these values are not numeric effluent limitations. However, not conducting benchmark sampling, not submitting the benchmark monitoring form with sample results, or not submitting the benchmark monitoring form with an explanation as to why the sampling failed to be conducted is a violation of the permit requirements for benchmark monitoring submittal. Exceedances of benchmark values indicate that modifications to the SWP3 and current BMP(s) may be necessary.

(b) The permittee is not eligible for a sampling waiver under Part III, Section C. of this permit for any hazardous metals that are required to be sampled as part of benchmark monitoring. The permittee is subject to the effluent limitations in Part III, Section C. for any monitoring for hazardous metals that is conducted at a final outfall.

(c) Sampling, monitoring, and analyses must be conducted according to procedures specified in Part III, Section E.4. of this permit unless otherwise specified and using test methods that are appropriate for the pollutant(s) being measured.

### Laboratory Data

<table>
<thead>
<tr>
<th>SI</th>
<th>Parameter</th>
<th>Level</th>
</tr>
</thead>
<tbody>
<tr>
<td>K</td>
<td>Magnesium, total</td>
<td>1.4 mg/L</td>
</tr>
<tr>
<td>G</td>
<td>Manganese, total</td>
<td>1 mg/L</td>
</tr>
<tr>
<td>G</td>
<td>Mercury, total</td>
<td>0.0002 mg/L</td>
</tr>
<tr>
<td>G</td>
<td>Nickel, total</td>
<td>1.417 mg/L</td>
</tr>
<tr>
<td>C, G, J, U, AA</td>
<td>Nitrate + Nitrite Nitrogen</td>
<td>0.68 mg/L</td>
</tr>
<tr>
<td>AD</td>
<td>Oil &amp; Grease</td>
<td>10 mg/L</td>
</tr>
<tr>
<td>C</td>
<td>Phosphorus</td>
<td>1.25 mg/L</td>
</tr>
<tr>
<td>E, G, J, S, AD</td>
<td>pH</td>
<td>6.0-9.0 S.U.</td>
</tr>
<tr>
<td>G</td>
<td>Selenium, total</td>
<td>0.01 mg/L</td>
</tr>
<tr>
<td>G</td>
<td>Silver, total</td>
<td>0.002 mg/L</td>
</tr>
<tr>
<td>A, C, D, E, F, H, J, O, Q, U, AA</td>
<td>TSS</td>
<td>50 mg/L</td>
</tr>
<tr>
<td>E, F, G, L, M, N, U, AD</td>
<td>TSS</td>
<td>100 mg/L</td>
</tr>
<tr>
<td>G</td>
<td>Turbidity</td>
<td>5 NTU</td>
</tr>
<tr>
<td>A, C, F, G, N, Q, Y, AA</td>
<td>Zinc, total</td>
<td>0.16 mg/L</td>
</tr>
</tbody>
</table>

**Note:** For some of the sectors the monitoring requirements are not applicable for all SIC codes. See Part V for detailed information.
procedures with minimum analytical levels (MALs) at or below benchmark values for all the benchmark parameters for which sampling is required.

2. **Background Concentrations**

If during benchmark monitoring the average concentration of a pollutant exceeds a benchmark value and it is determined that the exceedance is attributable solely to the presence of that pollutant in the natural background, the permittee is not required to perform corrective action or additional benchmark monitoring provided that:

(a) the average concentration of the benchmark monitoring results are less than or equal to the concentration of the pollutant in the natural background;

(b) the permittee documents in the SWP3 the supporting rationale for concluding that benchmark exceedance are attributable solely to natural background pollutant levels, as outlined in Part IV, Section A.2.of this permit. Any data previously collected (including literature studies) must be included in the supporting rationale that describe the levels of natural background pollutants in the stormwater discharge; and

(c) the permittee notifies TCEQ in writing during the reporting period for the sampling period that the permittee determined the benchmark exceedance are attributable solely to natural background pollutant levels.

Natural background pollutants include substances that are naturally occurring in the soil or groundwater. Natural background pollutants do not include legacy pollutants from earlier activity at the site, or pollutants in runon from neighboring sources that are not naturally occurring. Background concentrations may be identified by laboratory analyses of samples of stormwater runon to the permitted facility, laboratory analyses of samples of stormwater runoff from adjacent non-industrial areas, or by identifying the pollutant as a naturally occurring material in soil at the site.

3. **Investigations of Benchmark Value Exceedences**

The Pollution Prevention Team must investigate the cause for each exceedance and must document the results of this investigation in the SWP3 within 90 days following the sampling event.

The Pollution Prevention Team investigation must identify the following:

(a) any additional potential sources of pollution, such as spills that might have occurred;

(b) necessary revisions to the Good Housekeeping Measures section of the SWP3;

(c) additional BMPs, including a schedule to install or implement the BMPs; and

(d) other parts of the SWP3 for which revisions are appropriate.

Background concentrations of specific pollutants may be considered during the investigation as described in Part IV, Section A.2. above. If the Pollution Prevention Team is able to relate the cause of the exceedance to background concentrations, then subsequent exceedance of benchmark values for that pollutant may be resolved by referencing the earlier finding in the SWP3.

4. **Exception for Inactive and Unstaffed Sites**

The requirement for benchmark monitoring does not apply at a facility that is inactive and unstaffed, provided that there are no industrial materials or activities exposed to stormwater and that the permittee performs the following:
(a) include a written statement in the SWP3 stating that the site is inactive and unstaffed, and that there are no industrial materials or activities exposed to stormwater. This statement must be signed and certified in accordance with 30 TAC §305.128; and

(b) immediately begin complying with the applicable benchmark monitoring requirements in this section if circumstances change and industrial materials or activities become exposed to stormwater, or the facility becomes active or staffed, as this creates a condition where the exception no longer applies. Benchmark monitoring must be resumed as if in the first year of permit coverage. The permittee must indicate in the first benchmark monitoring report that the facility has materials or activities exposed to stormwater or has become active or staffed.

(c) If a site or facility is not qualified for this exception at the time authorization is obtained under this permit, but becomes qualified because the facility is inactive and unstaffed at some point during the permit term, and there are no industrial materials or activities that are exposed to stormwater, then the permittee must notify TCEQ in writing of this change in the next benchmark monitoring report. Benchmark monitoring may be discontinued once TCEQ has been notified in writing, and a certification statement has been prepared and signed and certified in accordance with 30 TAC §305.128.

5. Adverse Weather Conditions

Sampling under this section is subject to the exceptions related to adverse weather conditions or drought in accordance with Part III, Section D.4. of this general permit.

Section B. Benchmark Monitoring Requirements

The benchmark monitoring parameters for each industrial sector are listed in Part V of this general permit under the individual sectors. Benchmark monitoring must be conducted once every six months for four (4) years following permit issuance.

1. Monitoring Periods

(a) Benchmark monitoring must be conducted once every six months (January through June or July through December) following permit issuance, and then once during each subsequent semiannual monitoring period (i.e., January through June and July through December) during the remaining permit term, except that a waiver is available for the third and fourth year according to Part IV, Section B.1.(c) below.

(b) Operators of industrial facilities that obtain coverage after the beginning of a monitoring period shall initiate benchmark monitoring during the first six month monitoring period (January through June or July through December). During permit renewal years, the operator shall initiate sampling in the first full six month monitoring period (i.e. January through June). Sampling must be conducted once per semiannual monitoring period (January through June and July through December) thereafter, for up to a total of four (4) years, or eight (8) semiannual monitoring periods, depending on when coverage is obtained. A waiver is available if the annual average results of monitoring during the first two (2) years are all below benchmark levels, in accordance with Part IV, Section B.1.(c) below.

(c) Waiver from Benchmark Monitoring. If the annual average results of benchmark sampling for the first two monitoring years are all below the benchmark levels, the permittee is not required to conduct benchmark monitoring during the third and fourth monitoring years. The annual average result is the average of all samples collected for a particular pollutant for a specific SIC code during the previous calendar year, January
through December. If sampling for any monitoring period was not performed, then the average annual result must be calculated using the remaining samples for that calendar year.

Permittees who obtain a waiver are subject to the following limitations:

(1) The permittee may exercise this waiver from benchmark monitoring, so long as the analytical result for any pollutant limited in the annual hazardous metal monitoring does not exceed the corresponding benchmark monitoring level for that pollutant, if that pollutant is included in the list of parameters in Part V of this permit for which monitoring is required of the permittee.

(2) If during monitoring for annual hazardous metals, sampling to comply with sector-specific effluent specific limits, or any additional sampling performed by the facility operator, an analytical result exceeds the benchmark level for a pollutant for which a benchmark waiver was obtained, the permittee shall investigate the source of the exceedance, make the necessary correction or mitigation (as outlined above in section A) and return to performing benchmark monitoring according to: the requirements of Part IV; the applicable schedule outlined in Part III, Section D.3.; and any sector specific requirements that apply.

(3) This waiver does not affect the requirements for a permittee to sample and analyze its discharge to comply with any numeric effluent limitations established in this permit. (See Part III, Section C, related to hazardous metals monitoring, and Part V for discharges subject to federal effluent limitations guidelines listed in Part V of this permit.

2. Reporting Requirements

(a) Results of analyses for sampling during the first two benchmark monitoring years must be submitted to TCEQ before March 31st of each year following sample collection. The reported values must be the average yearly result of analysis for each specific pollutant discharged under a specific SIC code, rather than an outfall-by-outfall, basis. The report must be completed on a form provided by the executive director and mailed to the TCEQ's Wastewater Permitting Section (MC-148).

(b) Substantially similar outfalls may be established for benchmark monitoring, in accordance with Part III, Section D.2. of this general permit.

(c) Results of the average of the two semiannual benchmark analysis during the third and fourth monitoring years must be retained on site, unless the results exceed benchmark levels, in which case, the results must be submitted to TCEQ’s Wastewater Permitting Section (MC-148) by March 31st of each year following sample collection.

(d) If sampling during any six month period is not conducted for a pollutant due to adverse weather conditions or drought in accordance with Part III, Section D.4. of this general permit, then the reported average annual result must be based on data collected for that year. If there is no rain during a given week, the permittee shall monitor and record a zero rainfall total or no rain for the week according to Part III.D.1.(c).

Part V. SPECIFIC REQUIREMENTS FOR INDUSTRIAL ACTIVITIES

The requirements in Part V of this general permit are sector specific and are in addition to the requirements in Parts III and IV of this general permit. Where co-located industrial activities occur (refer to Part II, Section A.4. of this general permit) the additional conditions and requirements in Part V of this general permit for each of these activities also apply.
Section A. Sector A of Industrial Activity - Timber Products Facilities

1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector A. Sector A industrial activities are described by the following Standard Industrial Classification (SIC) codes:

**SECTOR A: TIMBER PRODUCTS**

<table>
<thead>
<tr>
<th>SIC Codes</th>
<th>Description of Industry Sub-sector</th>
</tr>
</thead>
<tbody>
<tr>
<td>2411</td>
<td>Log Storage and Handling (without the use of chemical additives in spray water or applied to the logs)</td>
</tr>
<tr>
<td>2421</td>
<td>General Sawmills and Planning Mills</td>
</tr>
<tr>
<td>2426</td>
<td>Hardwood Dimension and Flooring Mills</td>
</tr>
<tr>
<td>2429</td>
<td>Special Product Sawmills, Not Elsewhere Classified</td>
</tr>
<tr>
<td>2431 – 2439</td>
<td>Millwork, Veneer, Plywood, and Structural Wood (SIC Code 2434 - Wood Kitchen Cabinets, see Sector W)</td>
</tr>
<tr>
<td>2441 - 2449</td>
<td>Wood Containers</td>
</tr>
<tr>
<td>2451, 2452</td>
<td>Wood Buildings and Mobile Homes</td>
</tr>
<tr>
<td>2491</td>
<td>Wood Preserving</td>
</tr>
<tr>
<td>2493</td>
<td>Reconstituted Wood Products</td>
</tr>
<tr>
<td>2499</td>
<td>Wood Products Not Elsewhere Classified</td>
</tr>
</tbody>
</table>

(For detailed information about each SIC code, see Part II, Section A.1.b)

2. Definitions

(a) Debris. For the purposes of this section, debris is woody material such as bark, twigs, branches, heartwood, or sapwood that will not pass through a 2.54 centimeter (one-inch) diameter round opening and is present in the discharge from a wet storage facility.

(b) Wet decking water. Water that is intentionally sprayed or deposited onto logs or roundwood that are being stored on land.

3. Limitations on Permit Coverage

(a) Prohibition of Process Wastewater. This general permit does not authorize the discharge of wastewater resulting from the storage of logs or round wood before or after removal of bark in self-contained bodies of water (i.e., mill ponds or log ponds). Discharges from these activities must be authorized under an individual TPDES permit or other authorized means, or must be disposed in a manner that does not constitute a discharge into or adjacent to water in the state.

(b) Prohibition of Stormwater from Wood Treatment Areas. This general permit does not authorize the discharge of stormwater that has come in contact with areas where chemical formulations designed to provide wood surface protection and wood preservation were sprayed. Stormwater discharges from these areas must either be
captured within a containment structure and disposed of in a manner that does not constitute a discharge into or adjacent to water in the state or must discharged under authority of an individual TPDES permit or other authorized means.

4. **Authorized Non-Stormwater Discharges**

Wet Decking Water. In addition to the non-stormwater discharges allowed under Part II of this general permit, wet decking water may be discharged from lumber and wood storage yards where the wet decking process does not include chemical additives and where chemicals are not applied to the wood during storage.

5. **Description of Potential Pollutants and Sources**

(a) Inventory of Exposed Materials. Facilities that use or have previously used chlorophenolic compounds, creosote, chromium, copper, or arsenic formulations for the surface protection of wood or wood preserving activities must address these activities in the SWP3 according to the requirements of Part III, Section A.3. of this general permit. The following areas must be included in the inventory of exposed materials:

1. areas where treatment chemicals have contaminated any soils;
2. areas where any wood treatment equipment remains or is stored, including equipment that is no longer in use;
3. areas where treatment chemicals and treated materials remain; and
4. BMPs that are implemented to minimize these materials from coming into contact with stormwater.

(b) Site Map. The site map must include documentation of any of the following that may be exposed to stormwater: processing areas, treatment chemical storage areas, treated wood and residue storage areas, wet decking areas, dry decking areas, untreated wood and residue storage areas, and treatment equipment storage areas.

6. **Pollution Prevention Measures and Controls**

The SWP3 must include the following elements in addition to the requirements of Part III, Section A.4 and Part III, Section A.5. of this general permit:

(a) BMPs and good housekeeping measures must be implemented to limit the discharge of wood debris, minimize the leachate generated from decaying wood materials, and minimize the generation of dust.

(b) Structural controls may be used to limit the discharge of wood debris, minimize the leachate generated from decaying wood materials, and minimize the generation of dust.

(c) Facilities that conduct surface protection or preservation of wood products shall develop specific BMPs, including an implementation schedule, to reduce pollution in runoff from these areas of industrial activity.

(d) Periodic Inspections. Periodic inspections for facilities that conduct surface protection or preservation of wood products must include additional inspection procedures for processing areas, transport areas, and treated wood storage areas. The inspection procedures must provide an assessment of the effectiveness of BMPs in minimizing the amount of treatment chemicals that drip on unprotected soils and on other areas that come in contact with stormwater.
(1) Where feasible, the permittee shall conduct monthly inspections, in the same manner as developed for quarterly inspections. If monthly inspections are not feasible, then the permittee shall document the reason in the SWP3 and shall retain a minimum inspection frequency of once per quarter.

(2) The permittee shall conduct monthly inspections of wood treatment areas, treated wood storage areas, and treated wood transport loading and unloading areas to assess the effectiveness of specific BMPs and controls.

(3) Results and records of inspections must be evaluated, maintained, and incorporated into the standard periodic inspection reports as described in Part III, Section B., regardless of the frequency that the inspections are conducted.

(4) Follow-up procedures must be identified to ensure that appropriate actions are taken in response to the evaluations of the inspections.

7. Numeric Effluent Limitations Based on Federal Effluent Guidelines and Standards - Applicable to Sector A facilities discharging Wet Decking Water

(a) The following numeric effluent limitations, based on guidelines from the Wet Storage Subcategory (Subpart I) of the Timber Products Processing Point Source Category (40 CFR Part 429), apply to discharges of wet decking water. These discharges must not exceed the following numeric effluent limitations and monitoring requirements:

Table 4. Numeric Effluent Limitations for Sector A Facilities Discharging Wet Decking Water

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Limitation</th>
<th>Monitoring Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Debris</td>
<td>No Discharge</td>
<td>1/Year</td>
</tr>
<tr>
<td>pH</td>
<td>6.0-9.0 S.U.</td>
<td>1/Year</td>
</tr>
</tbody>
</table>

(b) Sample Type. Grab samples must be collected for analyses prior to combining with other flows.

(c) Reporting Requirements. Monitoring for compliance with numeric effluent limitations in this section is subject to the following requirements:

(1) Results of monitoring must be recorded on a discharge monitoring report (DMR). The DMR must either be an original EPA No. 3320-1 form, a duplicate of the form, or as otherwise provided by the executive director.

(2) Monitoring must be conducted prior to December 31st for each annual monitoring period and the DMR must be submitted to the TCEQ’s Information Resources Division, Central File Room (MC-213) and to the appropriate TCEQ Regional Office by March 31st of the following year, as described in Part III, Section E.6. of this permit.

In addition, a copy of the DMR must either be retained at the facility or must be made readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction by March 31st following the annual monitoring period.
8. **Benchmark Monitoring Requirements**

The following subsectors must conduct benchmark monitoring on discharges of stormwater associated with industrial activities according to the requirements in Part IV of this general permit.

Table 5. Benchmark Monitoring Requirements for Subsections in Sector A

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description of Industrial Activity</th>
<th>Benchmark Parameter</th>
<th>Benchmark Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>2421</td>
<td>General Sawmills and Planning Mills</td>
<td>COD, TSS, Zinc, total</td>
<td>60 mg/L, 50 mg/L, 0.16 mg/L</td>
</tr>
<tr>
<td>2491</td>
<td>Wood Preserving</td>
<td>Arsenic, total Copper, total</td>
<td>0.010 mg/L, 0.030 mg/L</td>
</tr>
<tr>
<td>2411</td>
<td>Log Storage and Handling (Wet deck storage areas where no chemical additives are used in the spray water or applied to the logs)</td>
<td>TSS</td>
<td>50 mg/L</td>
</tr>
<tr>
<td>2426, 2429, 2431-2439 (except 2434), 2441, 2448, 2449, 2451, 2452, 2493 and 2499</td>
<td>Hardwood Dimension and Flooring Mills; Special Products Sawmills, not elsewhere classified; Millwork, Veneer, Plywood, and Structural Wood; Wood Pallets and Skids; Wood Containers, not elsewhere classified; Wood Buildings and Mobile Homes; Reconstituted Wood Products; and Wood Products Facilities not elsewhere classified</td>
<td>COD, TSS</td>
<td>60 mg/L, 50 mg/L</td>
</tr>
</tbody>
</table>

**Section B. Sector B of Industrial Activity - Paper and Allied Products Manufacturing Facilities**

1. **Description of Industrial Activity**

The requirements under this section apply to stormwater discharges from activities identified and described as Sector B. Sector B industrial activities are described by the following SIC codes:

**SECTOR B: PAPER AND ALLIED PRODUCTS**

<table>
<thead>
<tr>
<th>SIC Codes</th>
<th>Description of Industry Sub-sector</th>
</tr>
</thead>
<tbody>
<tr>
<td>2611</td>
<td>Pulp Mills</td>
</tr>
<tr>
<td>2621</td>
<td>Paper Mills</td>
</tr>
<tr>
<td>2631</td>
<td>Paperboard Mills</td>
</tr>
</tbody>
</table>
2652 – 2657 Paperboard Containers and Boxes
2671 – 2679 Converted Paper and Paperboard Products, Including Plastic Bags Produced from Plastics Film

(For detailed information about each SIC code, see Part II, Section A.1.b)

2. **Benchmark Monitoring Requirements**

   The following subsectors must conduct benchmark monitoring according to the requirements in Part IV of this general permit and must conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

   Table 6. Benchmark Monitoring Requirements for Subsections in Sector B

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description of Industrial Activity</th>
<th>Benchmark Parameter</th>
<th>Benchmark Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>2631</td>
<td>Paperboard Mills</td>
<td>COD</td>
<td>60 mg/L</td>
</tr>
</tbody>
</table>

### Section C. **Sector C of Industrial Activity - Chemical and Allied Products Manufacturing Facilities**

1. **Description of Industrial Activity**

   The requirements under this section apply to stormwater discharges from activities identified and described as Sector C. Sector C industrial activities are described by the following SIC codes:

   **SECTOR C: CHEMICAL AND ALLIED PRODUCTS**

   **SIC Codes** | **Description of Industry Sub-sector**
   -------------|-------------------------------------
   2812 – 2819  | Basic Industrial Inorganic Chemicals
   2821 – 2824  | Plastic Materials, Synthetic Resins, Non-vulcanizable Elastomers (Synthetic Rubber), Cellulose Plastics Materials, and Other Manmade Fibers Except Glass
   2833 – 2836  | Medicinal Chemicals and Botanical Products, Pharmaceutical Preparations, In Vitro and In Vivo Diagnostic Substances, Biological Products (Except Diagnostic Substances)
   2841 – 2844  | Soaps and Detergents; Specialty Cleaning, Polishing, and Sanitation Preparations, Surface Active Agents, Finishing Agents, Sulfonated Oils, and Assistants, Perfumes, Cosmetics, and Other Toilet Preparations
   2851        | Paints, Varnishes, Lacquers, Enamels, and Allied Products
   2861 – 2869  | Industrial Organic Chemicals
   2873 – 2879  | Agricultural Chemicals (Including Fertilizers, Pesticides, Fertilizers Solely from Leather Scraps and Leather Dust, and Mixing of Fertilizers, Compost, and Potting Soils)
   2891 – 2899  | Miscellaneous Chemical Products (Including Adhesives and Sealants, Explosives, Printing Ink, and Carbon Black)
   2911        | Petroleum Refineries
3952  (Limited to List)-Inks and Paints, including: China Painting Enamels, India Ink, Drawing Ink, Platinum Paints for Burnt Wood or Leather Work, Paints for China Painting; Artist’s Paints, and Artist’s Watercolors

(For detailed information about each SIC code, see Part II, Section A.1.b)

2. **Limitations on Permit Coverage**

(a) Prohibition of Contaminated Runoff from Petroleum Refineries. Discharges of stormwater from petroleum refineries subject to federal guidelines found at 40 CFR Part 419 are not authorized under this general permit and must be authorized by an individual TPDES wastewater discharge permit or other authorized means. This general permit only authorizes the discharge of non-process area stormwater runoff from petroleum refineries described by SIC code 2911 that are not subject to 40 CFR Part 419 guidelines.

(b) Prohibition of Non-Stormwater Discharges. Non-stormwater discharges are not eligible for coverage except according to the conditions of Part II, Section A.6. of this general permit. The following non-stormwater discharges are specifically prohibited under this section: discharges containing inks, paints, and other substances resulting from an onsite spill; contents from drip pans; wash-waters from material handling and processing areas; and wash waters/rinse-waters from drums, tanks, and other containers.

3. **Pollution Prevention Measures and Controls/Management of Runoff with Structural Controls**

The following requirements must be included in the SWP3 according to requirements of Part III, Sections A.4. and A.5. of this general permit:

(a) Security System. A security system must be developed to prevent accidental or intentional discharges by unauthorized individuals. The system may include fences, lights, traffic controls, building security, and equipment security.

(b) Practices for Material Handling and Storage Areas. Practices must be developed to conform to the following:

1. Diking, curbing, berms, or other appropriate controls must be used in areas where liquid or powdered materials are stored to reduce the potential of contamination of stormwater from these materials.

2. Curbs, culverts, gutters, sewers, or other forms of drainage control must be used to minimize contamination of stormwater in all other outside storage areas, including areas for machinery, scrap and construction materials, and pallets.

3. Roofs, covers, or other types of protection must be used in all other outside storage areas to limit or prevent exposure of materials to precipitation or runoff.

4. In areas where liquid or powdered materials are transferred in bulk from truck or rail cars, permittees shall develop and implement measures to minimize contact of materials with precipitation or runoff. Hose connection points at storage containers must be located within containment areas and drip pans or other measures must be used outside the containment area (e.g. at hose reels, connection points with rail cars, tank trucks) to prevent spills from contacting precipitation or runoff.
(5) In areas where materials are transferred as packaged materials, permittees shall consider providing appropriate protection such as overhangs or door skirts to enclose trailer ends at truck loading docks, or equivalent controls.

(6) Structures used to limit pollution at material handling and storage areas should control drainage through the use of manually operated valves or other similar positive control devices. Flapper-type gate valves are not allowed. Pumps may be used to empty containment areas, but pumps must not be automatically activated. If a facility is not engineered with such controls, the facility’s separate storm sewer system should be equipped to prevent or divert a discharge of spilled materials until the materials can be recovered.

4. **Numeric Effluent Limitations Based on Federal Effluent Limitations Guidelines - Applicable to Sector C facilities discharging stormwater from phosphate fertilizer manufacturing activities.**

(a) The following numeric effluent limitations, based on guidelines from the Phosphate Subcategory (Subpart A) of the Fertilizer Manufacturing Point Source Category (40 CFR Part 418) apply to stormwater runoff that has come into contact with any raw materials, intermediate product, finished product, by-product or waste from areas of industrial activity described by SIC code 2874 (Phosphatic Fertilizers). These numeric effluent limits do not apply to other discharges covered under this section.

Samples of these discharges must be obtained before the runoff combines with other stormwater runoff. Discharges must not exceed the following numeric effluent limitations, and are subject to monitoring as follows:

Table 7. Numeric Effluent Limitations for Sector C Facilities Discharging from Phosphate Fertilizer Manufacturing Activities

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Limitations Daily Avg*</th>
<th>Limitations Daily Max</th>
<th>Monitoring Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Phosphorus (as P)</td>
<td>35 mg/L</td>
<td>105 mg/L</td>
<td>1/Year</td>
</tr>
<tr>
<td>Fluoride</td>
<td>25 mg/L</td>
<td>75 mg/L</td>
<td>1/Year</td>
</tr>
</tbody>
</table>

*The daily average limit only applies when two or more samples are collected during a calendar month.

(b) Sample Type. Grab samples must be collected for analyses prior to combining with other flows.

(c) Reporting Requirements. Monitoring for compliance with numeric effluent limitations in this section is subject to the following requirements:

(1) Results of monitoring must be recorded on a discharge monitoring report (DMR). The DMR must either be an original EPA No. 3320-1 form, a duplicate of the form, or as otherwise provided by the executive director.

(2) Monitoring must be conducted prior to December 31st for each annual monitoring period and the DMR must be submitted to the TCEQ’s Information Resources Division, Central File Room (MC-213) and to the appropriate TCEQ Regional Office by March 31st of the following year, as described in Part III, Section E.6. of this permit.
(3) In addition, a copy of the DMR must either be retained at the facility or must be made readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction by March 31st following the annual monitoring period.

5. Benchmark Monitoring Requirements

The following subsectors must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description of Industrial Activity</th>
<th>Benchmark Parameter</th>
<th>Benchmark Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>2812-2819</td>
<td>Basic Industrial Inorganic Chemicals</td>
<td>Aluminum, total Iron, total</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Nitratenitrite N TSS</td>
<td>1.2 mg/L 1.3 mg/L 0.68 mg/L 50 mg/L</td>
</tr>
<tr>
<td>2821-2824</td>
<td>Plastics, Synthetic Resins, Non-vulcanized Elastomers (Synthetic Rubber), Cellulose Plastics Materials, and Other Manmade Fibers Except Glass.</td>
<td>Zinc, total</td>
<td>0.16 mg/L</td>
</tr>
<tr>
<td>2841-2844</td>
<td>Soaps and Detergents; Specialty Cleaning, Polishing, and Sanitation Preparations; Surface Active Agents, Finishing Agents, Sulfonated Oils, and Assistants; Perfumes, Cosmetics, and Other Toilet Preparations</td>
<td>Nitratenitrite N Zinc, total</td>
<td>0.68 mg/L 0.16 mg/L</td>
</tr>
<tr>
<td>2873-2879</td>
<td>Agricultural Chemicals (Including Fertilizers, Pesticides, Fertilizers Solely from Leather Scraps and Leather Dust, and Mixing of Fertilizers, Compost, and Potting Soils)</td>
<td>Nitratenitrite N Lead, total</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Iron, total Zinc, total</td>
<td>0.68 mg/L 0.010 mg/L 1.3 mg/L 0.16 mg/L 1.25 mg/L 50 mg/L</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Phosphorus TSS</td>
<td></td>
</tr>
</tbody>
</table>

Section D. Sector D of Industrial Activity - Asphalt Paving and Roofing Materials and Lubricant Manufacturing Facilities

1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector D. Sector D industrial activities are described by the following SIC codes:
SECTOR D: ASPHALT PAVING AND ROOFING MATERIALS AND LUBRICANTS

*SIC Codes* Description of Industry Sub-sector

2951, 2952 Asphalt Paving and Roofing Materials, Portable Asphalt Plants

2992, 2999 Miscellaneous Products of Petroleum and Coal Including Lubricating Oils and Greases

(For detailed information about each SIC code, see Part II, Section A.1.b)

2. Limitations on Permit Coverage

The following facilities are not eligible for coverage under this general permit:

(a) petroleum refining facilities, including those that manufacture asphalt or asphalt products, including facilities described by SIC 2911 (also see Sector C);

(b) oil recycling facilities; and

(c) fats and oils rendering facilities.

3. Pollution Prevention Measures and Controls

Periodic Inspections. Inspection procedures must be developed according to the standard periodic inspection requirements described in Part III, Section B.2. of this general permit and conducted at least once per month in the following areas:

(a) material storage and handling areas;

(b) areas containing liquid storage tanks, hoppers or silos;

(c) vehicle and equipment maintenance, cleaning, and fueling areas; and

(d) material handling, equipment storage, and processing areas.

Results of the inspections must be evaluated and records of inspections maintained. Follow-up procedures must be identified to ensure that appropriate actions are taken in response to the inspector’s findings.

4. Numeric Effluent Limitations - Applicable to Sector D Facilities Discharging Stormwater from Asphalt Emulsion Manufacturing Production Areas

(a) The following numeric effluent limitations, based on guidelines from the Asphalt Emulsion Subcategory of the Paving and Roofing Materials (Tars and Asphalt) Manufacturing Point Source Category (40 CFR § 443.13) apply to all stormwater runoff from asphalt paving and roofing emulsion production areas. Samples of these discharges must be obtained before the runoff combines with stormwater runoff or other waste streams that may be covered under this permit. Samples must be analyzed as follows, and must not exceed the following numeric effluent limitations:
Table 9. Numeric Effluent Limitations for Sector D Facilities Discharging from Asphalt Emulsion Manufacturing Production Areas

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Limitations Daily Avg*</th>
<th>Limitations Daily Max</th>
<th>Monitoring Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>TSS</td>
<td>15 mg/L</td>
<td>23 mg/L</td>
<td>1/Year</td>
</tr>
<tr>
<td>Oil and Grease</td>
<td>10 mg/L</td>
<td>15 mg/L</td>
<td>1/Year</td>
</tr>
<tr>
<td>pH</td>
<td>6.0-9.0 S.U.</td>
<td>6.0-9.0 S.U.</td>
<td>1/Year</td>
</tr>
</tbody>
</table>

*The daily average limit only applies when two or more samples are collected during a calendar month.

(b) Sample Type. Grab samples must be collected for analyses prior to combining with other flows.

(c) Reporting Requirements. Monitoring for compliance with numeric effluent limitations in this section is subject to the following requirements:

1. Results of monitoring must be recorded on a discharge monitoring report (DMR). The DMR must either be an original EPA No. 3320-1 form, a duplicate of the form, or as otherwise provided by the executive director.

2. Monitoring must be conducted prior to December 31st for each annual monitoring period and the DMR must be submitted to the TCEQ's Information Resources Division, Central File Room (MC-213) and to the appropriate TCEQ Regional Office by March 31st of the following year, as described in Part III Section D.3 of this permit.

3. In addition, a copy of the DMR must either be retained at the facility or must be made readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction by March 31st, following the annual monitoring period.

5. Benchmark Monitoring Requirements

The following subsections must conduct benchmark monitoring on discharges of stormwater associated with industrial activities according to the requirements in Part IV of this general permit.

Table 10. Benchmark Monitoring Requirements for Subsections in Sector D

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description of Industrial Activity</th>
<th>Benchmark Parameter</th>
<th>Benchmark Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>2951, 2952</td>
<td>Asphalt Paving and Roofing Materials, Portable Asphalt Plants</td>
<td>TSS</td>
<td>50 mg/L</td>
</tr>
</tbody>
</table>
Section E. Sector E of Industrial Activity - Glass, Clay, Cement Concrete, and Gypsum Product Manufacturing Facilities

1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector E. Sector E industrial activities are described by the following SIC codes:

**SECTOR E: GLASS, CLAY, CEMENT, CONCRETE, AND GYPSUM PRODUCTS**

<table>
<thead>
<tr>
<th>SIC Codes</th>
<th>Description of Industry Sub-sector</th>
</tr>
</thead>
<tbody>
<tr>
<td>3211</td>
<td>Flat Glass</td>
</tr>
<tr>
<td>3221, 3229</td>
<td>Glass and Glassware, Pressed or Blown</td>
</tr>
<tr>
<td>3231</td>
<td>Glass Products Made of Purchased Glass</td>
</tr>
<tr>
<td>3241</td>
<td>Hydraulic Cement</td>
</tr>
<tr>
<td>3251 – 3259</td>
<td>Structural Clay Products</td>
</tr>
<tr>
<td>3261</td>
<td>Vitreous China Plumbing Fixtures and China Earthenware Fittings and Bathroom Accessories</td>
</tr>
<tr>
<td>3262 – 3269</td>
<td>Pottery and Related Products</td>
</tr>
<tr>
<td>3271 – 3275</td>
<td>Concrete, Lime, Gypsum and Plaster Products (includes Ready-Mix Concrete Plants)</td>
</tr>
<tr>
<td>3281</td>
<td>Cut Stone and Stone Products</td>
</tr>
<tr>
<td>3291</td>
<td>Abrasive Products</td>
</tr>
<tr>
<td>3292</td>
<td>Asbestos Products</td>
</tr>
<tr>
<td>3295</td>
<td>Minerals and Earths, Ground or Otherwise Treated</td>
</tr>
<tr>
<td>3296</td>
<td>Mineral Wool</td>
</tr>
<tr>
<td>3297</td>
<td>Non-Clay Refractories</td>
</tr>
<tr>
<td>3299</td>
<td>Nonmetallic Mineral Products, Not Elsewhere Classified</td>
</tr>
</tbody>
</table>

(For detailed information about each SIC code, see Part II, Section A.1.b)

2. Non-Stormwater Discharges

This section does not authorize the discharge of any additional wastestreams. Facilities are required to seek authorization to discharge or land apply process wastewater resulting from washing of trucks, mixers, transport buckets, concrete forms, and other equipment under a separate TPDES or TCEQ wastewater permit.

3. Pollution Prevention Measures and Controls

The following requirements must be included in the SWP3 according to requirements of Part III, Section A.4. of this general permit:

(a) Specific good housekeeping measures must be developed to minimize and prevent exposure of spilled cement, aggregate (including sand and gravel), kiln dust, fly ash, and other dust to precipitation or runoff.
(b) Wherever possible, fine solids such as cement, fly ash, and kiln dust must be stored in enclosed silos, hoppers, buildings or other structures to prevent exposure to precipitation or runoff.

(c) Sweeping or an equivalent control measure must be performed at least once each week in areas where cement, aggregate, kiln dust, fly ash, or settled dust are being handled or processed.

(d) Periodic Inspections. Inspection procedures must be developed according to the standard periodic inspection requirements described in Part III, Section B.2. of this general permit, but inspections must be conducted at least once per month.

4. Additional SWP3 Requirements

(a) The permittee shall document in the SWP3 the locations of the following, as applicable: bag house or other dust control device; recycle/sedimentation pond, clarifier, or other device used for the treatment of process wastewater; and the areas that drain to the treatment device.

(b) Non-stormwater discharge certification. In addition to the requirements in Part III, Section B.1 related to inspection and certification of non-stormwater discharges, the SWP3 must describe the measures that will ensure that process wastewaters resulting from washing trucks, mixers, transport buckets, forms, or other equipment are either discharged or disposed in accordance with state permitting requirements or are recycled.

5. Numeric Effluent Limitations

(a) The following numeric effluent limitations apply to discharges resulting from the runoff of rainfall which derives from the storage of materials, including raw materials, intermediate products, finished products, and waste materials, which are used in or derived from the manufacture of cement based on guidelines from the Materials Storage Piles Runoff Subcategory (Subpart C) of the Cement Manufacturing Point Source Category (40 CFR Part 411).

These effluent limitations do not apply to Sector E facilities that are not subject to federal guidelines at 40 CFR Part 411, related to Cement Manufacturing.

Samples of stormwater discharges from cement manufacturing facilities subject to these effluent limits must be obtained before the runoff combines with other discharges that are covered under this permit. The samples must be analyzed at the frequency described below and must not exceed the following numeric effluent limitations:

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Limitations Daily Max</th>
<th>Monitoring Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>TSS</td>
<td>50 mg/L</td>
<td>1/Year</td>
</tr>
<tr>
<td>pH</td>
<td>6.0-9.0 S.U.</td>
<td>1/Year</td>
</tr>
</tbody>
</table>

(b) Sample Type. Grab samples must be collected for analyses prior to combining with other flows.

(c) Reporting Requirements. Monitoring for compliance with numeric effluent limitations in this section is subject to the following requirements:
(1) Results of monitoring must be recorded on a discharge monitoring report (DMR). The DMR must either be an original EPA No. 3320-1 form, a duplicate of the form, or as otherwise provided by the executive director.

(2) Monitoring must be conducted prior to December 31st for each annual monitoring period and the DMR must be submitted to the TCEQ’s Information Resources Division, Central File Room (MC-213) and to the appropriate TCEQ Regional Office by March 31st of the following year, as described in Part III, Section E.6. of this permit.

(3) In addition, a copy of the DMR must either be retained at the facility or must be made readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction by March 31st following the annual monitoring period.

(d) Waiver from Numeric Effluent Limitations. Any untreated overflow from facilities designed, constructed, and operated to treat the volume of runoff from materials storage piles that is associated with a 10-year, 24-hour rainfall event will not be subject to the pH and TSS limitations in this section.

Rainfall records are required to document events that equal or exceed a 10-year 24-hour event. The operator shall maintain, as a part of the SWP3, the following information in order to receive this waiver:

1. engineering design records that demonstrate structural controls are adequate to intercept, contain, and treat the volume of runoff from a 10-year, 24-hour storm event; and

2. records of rainfall from a either a rain gauge that is located onsite or a rain gauge maintained in the immediate area of the facility.

6. Benchmark Monitoring Requirements

The following subsections must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

Table 12. Benchmark Monitoring Requirements for Subsections in Sector E

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description of Industrial Activity</th>
<th>Benchmark Parameter</th>
<th>Benchmark Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>3251-3259</td>
<td>Structural Clay Products</td>
<td>Aluminum, total TSS pH</td>
<td>1.2 mg/L, 50 mg/L, 6.0-9.0 S.U.</td>
</tr>
<tr>
<td>3262-3269</td>
<td>Pottery and Related Products</td>
<td>Aluminum, total TSS pH</td>
<td>1.2 mg/L, 100 mg/L, 6.0-9.0 S.U.</td>
</tr>
<tr>
<td>3271-3275</td>
<td>Concrete, Lime, Gypsum and Plaster Products</td>
<td>TSS, Iron, total pH</td>
<td>50 mg/L, 1.3 mg/L, 6.0-9.0 S.U.</td>
</tr>
</tbody>
</table>
Section F. Sector F of Industrial Activity - Primary Metals Facilities

1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector F. Sector F industrial activities are described by the following SIC codes:

**SECTOR F: PRIMARY METALS**

<table>
<thead>
<tr>
<th>SIC Codes</th>
<th>Descriptions of Industry Sub-sector</th>
</tr>
</thead>
<tbody>
<tr>
<td>3312 – 3317</td>
<td>Steel Works, Blast Furnaces, and Rolling and Finishing Mills</td>
</tr>
<tr>
<td>3321 – 3325</td>
<td>Iron and Steel Foundries</td>
</tr>
<tr>
<td>3331 – 3339</td>
<td>Primary Smelting and Refining of Nonferrous Metals</td>
</tr>
<tr>
<td>3341</td>
<td>Secondary Smelting and Refining of Nonferrous Metals</td>
</tr>
<tr>
<td>3351 – 3357</td>
<td>Rolling, Drawing, and Extruding of Nonferrous Metals</td>
</tr>
<tr>
<td>3363 – 3369</td>
<td>Nonferrous Foundries (Castings)</td>
</tr>
<tr>
<td>3398, 3399</td>
<td>Miscellaneous Primary Metal Products</td>
</tr>
</tbody>
</table>

(For detailed information about each SIC code, see Part II, Section A.1.b)

2. Description of Potential Pollutants and Sources

The inventory of exposed materials must include areas where material handling and air emissions may result in deposits of particulate matter.

3. Pollution Prevention Measures and Controls

(a) Good Housekeeping Measures. This section of the SWP3 must include a program for cleaning and maintaining all impervious areas of the facility where dust, debris, or other particulate matter may accumulate, especially areas where material loading/unloading, storage, handling and processing occur. Areas where materials are stored, or where there is vehicular traffic, should be paved if vegetative and other stabilization methods are not practical. For areas where paving and vegetative measures are not practical, structural controls must be developed to trap and limit transport of sediment offsite. Sediment traps, filter fabric fences, and other equivalent measures may be considered.

(b) Drainage Area Site Map. The map must identify any of the following activities that may be exposed to stormwater: storage or disposal of wastes such as spent solvents and baths, sand, slag and dross; liquid storage tanks and drums; processing areas including pollution control equipment (e.g., baghouses); and storage areas of raw material such as coal, coke, scrap, sand, fluxes, refractories, or metal in any form. In addition, indicate where an accumulation of significant amounts of particulate matter could occur from such sources as furnace or oven emissions, or losses from coal and coke handling operations.

(c) Periodic Inspections. The periodic inspections must specifically include areas of the facility that contain air pollution control equipment, such as bag houses, electrostatic precipitators, cyclones, and scrubbers for signs of degradation or improper operation. Process material handling equipment must be inspected for leaks and problems that
(d) may result in material loss and spills. Material storage areas, such as piles or bins that contain coal, scrap, and slag, must be inspected for material loss due to wind and precipitation or runoff.

4. **Benchmark Monitoring Requirements**

The following subsections must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

Table 13. Benchmark Monitoring Requirements for Subsections in Sector F

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description of Industrial Activity</th>
<th>Benchmark Parameter</th>
<th>Benchmark Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>3312-3317</td>
<td>Steel Works, Blast Furnaces, and Rolling and Finishing Mills</td>
<td>Aluminum, total Zinc, total TSS</td>
<td>1.2 mg/L 0.16 mg/L 100 mg/L</td>
</tr>
<tr>
<td>3321-3325</td>
<td>Iron and Steel Foundries</td>
<td>Aluminum, total TSS Copper, total Iron, total Zinc, total</td>
<td>1.2 mg/L 50 mg/L 0.030 mg/L 1.3 mg/L 0.16 mg/L</td>
</tr>
<tr>
<td>3351-3357</td>
<td>Rolling, Drawing, and Extruding of Nonferrous Metals</td>
<td>Copper, total Zinc, total</td>
<td>0.030 mg/L 0.16 mg/L</td>
</tr>
<tr>
<td>3363-3369</td>
<td>Nonferrous Foundries (Castings)</td>
<td>Copper, total Zinc, total</td>
<td>0.030 mg/L 0.16 mg/L</td>
</tr>
</tbody>
</table>

Section G. Sector G of Industrial Activity - Metal Mining (Ore Mining and Dressing)

1. **Description of Industrial Activity**

The requirements under this section apply to stormwater discharges from activities identified and described as Sector G. Sector G industrial activities are described by the following SIC codes:

**SECTOR G: METAL MINING (ORE MINING AND DRESSING)**

<table>
<thead>
<tr>
<th>SIC Codes</th>
<th>Descriptions of Industry Sub-sector</th>
</tr>
</thead>
<tbody>
<tr>
<td>1011</td>
<td>Iron Ores</td>
</tr>
<tr>
<td>1021</td>
<td>Copper Ores</td>
</tr>
<tr>
<td>1031</td>
<td>Lead and Zinc Ores</td>
</tr>
<tr>
<td>1041, 1044</td>
<td>Gold and Silver Ores</td>
</tr>
<tr>
<td>1061</td>
<td>Ferro alloy Ores, Except Vanadium</td>
</tr>
<tr>
<td>1081</td>
<td>Metal Mining Services</td>
</tr>
<tr>
<td>1094, 1099</td>
<td>Miscellaneous Metal Ores</td>
</tr>
</tbody>
</table>

(For detailed information about each SIC code, see Part II, Section A.1.b)
2. Covered Stormwater Discharges

The requirements in this section apply to stormwater from metal mining facilities, including mines abandoned on federal lands, as identified by the SIC codes specified the table above. Coverage is required for metal mining facilities that discharge stormwater contaminated by contact with, or that has come into contact with, any overburden, raw material, intermediate product, finished product, byproduct, or waste product.

(a) The stormwater discharges covered under this permit include all stormwater discharges from inactive facilities and stormwater discharges from facilities undergoing reclamation.

(b) Stormwater discharges from the following areas of active and temporarily inactive facilities areas are authorized under this general permit:

(1) waste rock and overburden piles, if composed entirely of stormwater and not combined with mine drainage;

(2) topsoil piles;

(3) haul and access roads:
   a. all off site roads;
   b. onsite haul and access roads constructed of waste rock, overburden, or spent ore if composed entirely of stormwater and not combining with mine drainage; and
   c. onsite haul and access roads not constructed of waste rock, overburden, or spent ore, unless mine drainage is used for dust control.

(4) runoff from tailings dams or dikes that are:
   a. not constructed of waste rock or tailings, provided no process fluids are present; or
   b. constructed of waste rock or tailings and no process fluids are present, if composed entirely of stormwater and not combining with mine drainage.

(5) concentration building if no contact with material piles;

(6) mill site if no contact with material piles;

(7) office or administrative building and housing if mixed with stormwater from industrial area;

(8) chemical storage;

(9) docking facility if no excessive contact with waste product that would otherwise constitute mine drainage;

(10) explosives storage;

(11) fuel storage;

(12) vehicle and equipment maintenance;

(13) parking areas, if necessary;

(14) power plant, except that steam electric power plants are regulated as collocated activities in Part V, Section O;
(15) truck wash areas (if no excessive contact with waste product that would otherwise constitute mine drainage);
(16) un-reclaimed, disturbed areas outside of the active mining area(s);
(17) reclaimed areas released from reclamation requirements prior to December 17, 1990; and
(18) partially or inadequately reclaimed areas or areas not meeting reclamation requirements.

3. Definitions

The following definitions apply only to Section G of this general permit:

**Active metal mining facility.** A place where work or other activity related to the extraction, removal, or recovery of metal ore is being conducted. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of “active mining area” found at 40 CFR §440.132(a).

**Active phase.** Activities including the extraction, removal or recovery of metal ore. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of “active mining area” found at 40 CFR §440.132(a). The active phase is considered part of “mining operations.”

**Exploration phase.** Entails exploration and land disturbance activities to determine the viability of a site. The exploration phase is not considered part of “mining operations.”

**Final Stabilization.** All soil disturbing activities at the site have been completed and a uniform (e.g. evenly distributed, without large bare areas) perennial vegetative cover with a density of 70% of the native background vegetative cover for the area has been established on all unpaved areas and areas not covered by permanent structures, or equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed. Alternatively, for arid, semi-arid, and drought stricken areas only, final stabilization means that all soil disturbing activities at the site have been completed and both of the following criteria have been met: temporary erosion control measures are selected, designed, and installed along with an appropriate seed base to provide erosion control for at least three years without active maintenance by the operator; and the temporary erosion control measures are selected, designed, and installed to achieve 70% vegetative coverage within three years.

**Inactive metal mining facility.** A site or portion of a site with an identifiable operator, where metal mining or milling occurred in the past but is not an active facility as defined above, where the inactive portion is not covered by an active mining permit, and where the reclamation phase has not been completed.

**Mining operations.** Consists of the active mining, inactive mining, temporarily inactive mining, and reclamation phases, but excludes the exploration and construction phases.

**Reclamation phase.** Activities undertaken to return the land to an appropriate post-mining land use prior to termination of permit coverage.

**Temporarily inactive metal mining facility.** A site or portion of a site where metal mining or milling occurred in the past and is not currently being actively undertaken, and where the facility is covered by an active mining permit.
4. **Limitations on Permit Coverage**

   (a) **Prohibition on Certain Stormwater Discharges.** Discharges from active metal mining facilities that are subject to effluent limitation guidelines for the Ore Mining and Dressing Point Source Category (40 CFR Part 440) are not authorized under this general permit.

   Stormwater from active metal mining facilities is only subject to 40 CFR Part 440 (and therefore not eligible for coverage under this permit) if it commingles with other discharges that are subject to 40 CFR Part 440. Discharges from overburden/waste rock and overburden/waste rock-related areas are not subject to 40 CFR Part 440 unless they:

   (1) drain naturally (or are intentionally diverted) to a point source; and

   (2) combine with "mine drainage" that is otherwise regulated under the 40 CFR Part 440.

   Such sources may obtain coverage under this general permit if the discharge is composed entirely of stormwater, does not commingle with other sources of mine drainage that are not subject to 40 CFR Part 440, and meets the other eligibility criteria contained in the general permit.

   (b) **Prohibition on Non-Stormwater Discharges.** The following discharges are not authorized by this general permit: process generated wastewater, including but not limited to truck wash water, adit drainage (e.g., drainage from mine passageways or tunnels), contaminated springs, and seeps discharging from waste rock dumps that do not directly result from precipitation events from active, temporarily inactive, and inactive mines.

   (c) **Authorization Not Required.** Stormwater from sites where mining claims are being maintained prior to disturbances associated with the extraction, beneficiation, or processing of mined materials and sites where minimal activities are undertaken for the sole purpose of maintaining a mining claim are not considered either active or inactive mining facilities and do not require authorization.

5. **Additional SWP3 Requirements**

   In addition to the requirements of Part III, Section A of this general permit, the following is required:

   (a) **Inventory of Exposed Materials.** This section of the SWP3 must contain a summary of any existing ore, waste rock, and overburden characterization data. The summary must include results of all testing for acid rock generation potential. The inventory and the SWP3 must be updated if the characterization is updated due to a change in the type of ore mined. For inactive metal mining facilities the inventory must identify any significant materials that remain at the facility and include any available characterization data of the material.

   (b) **Narrative Description.** For inactive metal mining facilities, this section of the SWP3 must include a description of the mining and associated activities that took place at the site. The description must define the dates of operation, total acreage within the mine, total acreage within the processing area, an estimate of the acres of remaining disturbed area, and any current activities at the site (e.g. reclamation).

   (c) **Site Map.** A topographic site map (or maps) must be developed to indicate mining or milling site boundaries; access and haul roads; equipment storage, fueling, and
maintenance areas; an outline of the overburden, materials, soils, tailings or wastes storage areas; points of discharge from the property of mine drainage or any other process wastewater, a depiction of the discharge route, and a listing of the type of wastewater; location of existing and proposed tailings piles and ponds; heap leach pads; locations of springs, streams, wetlands, and other surface waters; and boundaries of tributary areas that are subject to effluent limitations and guidelines for the Ore Mining and Dressing Point Source Category (40 CFR Part 440).

(d) Management of Runoff with Structural Controls. The elimination of a contaminant source through capping of the source may be the most effective control measure. Where capping is used, the source being capped must be identified and the materials and procedures used to cap the source must be described within the SWP3.

(e) Inactive and Unstaffed Sites. Subject to the following conditions, if the facility is inactive and unstaffed, the permittee is not required to conduct quarterly visual assessments and routine facility inspections. Waivers are not given for exception from conducting the comprehensive site inspection. Permittees are encouraged to inspect their site more frequently where there is reason to believe that severe weather or natural disasters may have damaged control measures or increased discharges.

1. If circumstances change and the facility becomes active or staffed, this exception no longer applies and the permittee must immediately begin complying with the quarterly visual assessment requirements; and

2. The TCEQ retains the authority to revoke this exemption or the monitoring waiver where it is determined that the discharge causes, has a reasonable potential to cause, or contributes to an instream excursion above an applicable water quality standard, including designated uses.

6. Benchmark Monitoring Requirements

(a) Active copper ore mining or dressing facilities must conduct benchmark monitoring according to the standard benchmark monitoring requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description of Industrial Activity</th>
<th>Benchmark Parameter</th>
<th>Benchmark Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>1021</td>
<td>Copper Ores</td>
<td>COD, TSS, Nitrate + Nitrite N</td>
<td>60 mg/L, 100 mg/L, 0.68 mg/L</td>
</tr>
</tbody>
</table>

(b) All stormwater discharges from waste rock and overburden piles, resulting from active ore mining or dressing operations included in Sector G, must collect one benchmark monitoring sample according to the requirements in Part IV of this general permit for the following pollutants. For parameters measured above the benchmark value, monitoring must be continued throughout the term of the permit.
### Table 15. Benchmark Monitoring Requirements for Sector G

<table>
<thead>
<tr>
<th>SIC Codes and Description of Industrial Activity</th>
<th>Parameter</th>
<th>Benchmark Monitoring Cutoff Concentration</th>
</tr>
</thead>
<tbody>
<tr>
<td>1011- Iron Ores; 1021- Copper Ores; 1031- Lead and Zinc Ores; 1041, 1044 - Gold and Silver Ores; 1061- Ferroalloy Ores, Except Vanadium; 1081- Metal Mining Services 1094, 1099 - Miscellaneous Metal Ores</td>
<td>TSS, Turbidity, pH, Total Antimony, Total Arsenic, Total Beryllium, Total Cadmium, Total Copper, Total Iron, Total Lead, Total Manganese, Total Mercury, Total Nickel, Total Selenium, Total Silver, Total Zinc</td>
<td>100 mg/L, 5 NTUs above background, 6.0-9.0 S.U., 0.636 mg/L, 0.17 mg/L, 0.13 mg/L, 0.0010 mg/L, 0.030 mg/L, 1.3 mg/L, 0.010 mg/L, 1.0 mg/L, 0.0019 mg/L, 1.417 mg/L, 0.05 mg/L, 0.0318 mg/L, 0.16 mg/L</td>
</tr>
</tbody>
</table>

(c) In addition to other required monitoring for discharges from waste rock and overburden piles, the permittee shall also conduct monitoring for additional pollutants as follows based on the type of ore mined at the site. Where a pollutant in the table below is the same as a pollutant required to be monitored in the table above (i.e., for all of the metals) the permittee shall use the corresponding benchmark value from the table above; otherwise, no benchmark levels apply.

The monitoring results conducted for the benchmark monitoring requirements for discharges from Waste Rock and Overburden Piles at active Metal Mining Facilities (section above) may be used to satisfy the monitoring requirement for the pollutant for this section. There are no applicable benchmarks for Radium and uranium in the table above. The frequency and schedule for monitoring the additional parameters, in the table below, is the same as that specified in Part IV of this permit.

### Additional Monitoring Requirements for Discharges from Waste Rock and Overburden Piles.

Table 16. Requirements for Waste Rocks and Overburden Piles

<table>
<thead>
<tr>
<th>Type of Ore Mined</th>
<th>Parameter</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tungsten Ore</td>
<td>pH, TSS, Total Arsenic, Total Cadmium, Total Copper, Total Lead, Total Zinc</td>
</tr>
<tr>
<td>Nickel Ore</td>
<td>pH, TSS, Total Arsenic, Total Cadmium, Total Copper, Total Lead, Total Zinc</td>
</tr>
<tr>
<td>Aluminum Ore</td>
<td>pH, TSS, Total Iron</td>
</tr>
<tr>
<td>Mercury Ore</td>
<td>pH, TSS, Total Nickel</td>
</tr>
<tr>
<td>Iron Ore</td>
<td>pH, TSS, Dissolved Iron</td>
</tr>
<tr>
<td>Platinum Ore</td>
<td>Total Cadmium, Total Copper, Total Mercury, Total Lead, Total Zinc</td>
</tr>
</tbody>
</table>
Titanium Ore | pH, TSS, Total Iron, Total Nickel, Total Zinc  
Vanadium Ore | pH, TSS, Total Arsenic, Total Cadmium, Total Copper, Total Lead, Total Zinc  
Molybdenum | pH, TSS, Total Arsenic, Total Cadmium, Total Copper, Total Lead, Total Mercury, Total Zinc  
Uranium, Radium, and Vanadium Ore | pH, TSS, Chemical Oxygen Demand, Total Arsenic, Total Radium, Dissolved Radium, Total Uranium, Total Zinc  

7. **Termination of Permit Coverage**  
(a) Termination of Permit Coverage for Sites Reclaimed After December 17, 1990.  
A site or a portion of a site that has been released from applicable state or federal reclamation requirements after December 17, 1990, is no longer required to maintain coverage under this permit. If the site or portion of a site reclaimed after December 17, 1990, was not subject to reclamation requirements, the site or portion of the site is no longer required to maintain coverage under this permit if the site or portion of the site has been reclaimed as defined above in section 3.  
(b) Termination of Permit Coverage for Sites Reclaimed Before December 17, 1990.  
A site or portion of a site that was released from applicable state or federal reclamation requirements before December 17, 1990, or that was otherwise reclaimed before December 17, 1990, is no longer required to maintain coverage under this permit if the site or portion of the site has been reclaimed. A site or portion of a site is considered to have been reclaimed if:  
(1) stormwater runoff that comes into contact with raw materials, intermediate byproducts, finished products, and waste products does not have the potential to cause or contribute to violations of state water quality standards;  
(2) soil disturbing activities related to mining at the sites or portion of the site have been completed;  
(3) the site or portion of the site has been stabilized to minimize soil erosion; and  
(4) as appropriate depending on location, size, and the potential to contribute pollutants to stormwater discharges, the site or portion of the site has been re-vegetated, will be amenable to natural re-vegetation, or will be left in a condition consistent with the post-mining land use.  

Section H. **Sector H of Industrial Activity - Coal Mines and Coal Mining Related Facilities**  
1. **Description of Industrial Activity**  
The requirements under this section apply to stormwater discharges from activities identified and described as Sector H. Sector H industrial activities are described by the following SIC codes:  

**SECTOR H: COAL MINES AND COAL MINING RELATED FACILITIES**  

<table>
<thead>
<tr>
<th>SIC Codes</th>
<th>Description of Industry Sub-sector</th>
</tr>
</thead>
<tbody>
<tr>
<td>1221</td>
<td>Bituminous Coal and Lignite Surface Mining</td>
</tr>
</tbody>
</table>
1222 Bituminous Coal Underground Mining  
1231 Anthracite Mining  
1241 Coal Mining Services  
(For detailed information about each SIC code, see Part II, Section A.1.b)

2. Covered Stormwater Discharges

The requirements of Section H apply to stormwater discharges from the following areas of facilities identified by the SIC Codes specified in the table above, except that discharges regulated under 40 CFR Part 434 are not covered under this permit:

(a) haul roads;  
(b) access roads;  
(c) railroad spurs, sidings, and internal lines used to transport coal;  
(d) areas around conveyor belts, chutes, and trams that convey coal;  
(e) equipment storage and maintenance areas;  
(f) coal handling areas, including buildings and structures;  
(g) waste disposal areas;  
(h) inactive coal mines where the performance bond has been released; and  
(i) related areas where coal mining/processing activities take place.

3. Definitions

The following definitions apply only to Section H of this general permit:

**Active coal mining facility.** A place where work or other activity related to the extraction, removal, or recovery of coal is being conducted. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of “active mining area” found at 40 CFR §434.11(b).

**Active phase.** Activities including the extraction, removal or recovery of coal. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of “active mining area” found at 40 CFR §434.11(b). The active phase is considered part of “mining operations.”

**Bond Release.** The time at which the appropriate regulatory authority returns a reclamation or performance bond based upon its determination that reclamation work (including, in the case of underground mines, mine sealing and abandonment procedures) has been satisfactorily completed. Phase Two completion is that point in the reclamation process where the property has been re-contoured and replanted but prior to final bond release.

**Exploration phase.** Entails exploration and land disturbance activities to determine the viability of a site. The exploration phase is not considered part of “mining operations.”

**Final Stabilization.** All soil disturbing activities at the site have been completed and a uniform (e.g. evenly distributed, without large bare areas) perennial vegetative cover with a density of 70 percent (%) of the native background vegetative cover for the area has been
established on all unpaved areas and areas not covered by permanent structures, or equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed. Alternatively, for arid, semi-arid, and drought stricken areas only, final stabilization means that all soil disturbing activities at the site have been completed and both of the following criteria have been met: Temporary erosion control measures are selected, designed, and installed along with an appropriate seed base to provide erosion control for at least three years without active maintenance by the operator; and The temporary erosion control measures are selected, designed, and installed to achieve 70% vegetative coverage within three years.

**Inactive coal mining facility.** A site or portion of a site, with an identifiable operator, where coal mining or milling occurred in the past but is not an active facility as defined above, where the inactive portion is not covered by an active mining permit and where the reclamation has not been completed.

**Mining operation.** Consists of the active and temporarily inactive phases, and the reclamation phase, but excludes the exploration and construction phases.

**Reclamation phase.** Activities undertaken to return the land to an appropriate post-mining land use prior to termination of permit coverage.

**Temporarily inactive coal mining facility.** A site or portion of a site where coal mining or milling occurred in the past but is not an active facility as defined above, where the inactive portion is not covered by an active mining permit, and where the reclamation phase has not been completed.

### 4. Limitations on Permit Coverage

The following discharges are not eligible for coverage under this general permit:

(a) discharges from coal mining activities subject to effluent limitation guidelines for the Coal Mining Point Source Category (40 CFR Part 434);

(b) seeps and underground drainage from inactive coal mines and refuse disposal areas that may constitute dry-weather flows and do not occur as a direct result of precipitation or runoff; and

(c) discharges from floor drains in maintenance buildings and similar drains in mining and preparation plant areas.

Reclaimed areas of a mine, where the performance bond has been released, are no longer considered industrial activity. Stormwater discharges from those areas are not required to be authorized under the TPDES program.

### 5. Additional SWP3 Requirements

The following requirements apply to all Sector H facilities:

(a) **Site Map.** Document where any of the following that are covered under this general permit and that may be exposed to stormwater: haul and access roads; railroad spurs, sliding, and internal hauling lines; conveyor belts, chutes, and aerial tramways; equipment storage and maintenance yards; coal handling buildings and structures; inactive mines and related areas; acidic spoil, refuse, or un-reclaimed disturbed areas; and liquid storage tanks containing pollutants such as caustics, hydraulic fluids, and lubricants.

(b) **Potential Pollutant Sources.**
(1) The SWP3 must document the following sources and activities that have potential pollutants associated with them:
   a. truck traffic on haul roads and resulting generation of sediment subject to runoff and dust generation;
   b. fuel or other liquid storage; pressure lines containing slurry, hydraulic fluid, or other potential harmful liquids; and loading or temporary storage of acidic refuse or spoil.

(2) In the summary of potential pollutant sources, the SWP3 must document areas at the facility where industrial materials or activities are exposed to stormwater and from which allowable non-stormwater discharges are released. For each area identified, the description must include:
   a. a list of the industrial activities exposed to stormwater;
   b. a list of the pollutant(s) or pollutant constituents (e.g., crankcase oil, zinc, sulfuric acid, and cleaning solvents) associated with each identified activity, that includes all significant materials that have been handled, treated, stored, or disposed, and that have been exposed to stormwater in the 3 years prior to the date that the SWP3 was prepared or amended;
   c. a list of the areas at the site where potential spills and leaks could occur that could contribute pollutants to stormwater, and the corresponding outfall(s) that would be affected by such spills and leaks. All significant spills and leaks of oil or toxic or hazardous pollutants that actually occurred at exposed areas, or that drained to a stormwater conveyance, in the 3 years prior to the date that the SWP3 was prepared or amended, must be documented; and
   d. The location of any storage piles containing salt used for deicing or other commercial or industrial purposes.

(c) Erosion Control Measures. Erosion, siltation, dust, and other pollutant control regulations administered by the Railroad Commission of Texas or TCEQ must either be included as components of this section of the SWP3, or incorporated by reference. The permittee shall minimize disturbed areas and preserve vegetated areas to the maximum extent practicable. The SWP3 must include the following at a minimum:

   (1) Stabilization Measures. Temporary and permanent stabilization measures must be employed to minimize erosion. These may include: maintaining existing native vegetative cover; seeding for temporary or permanent cover; temporary mulching, matting, or netting; sodding; soil binding; using non-acid material for road surfacing; planting trees; and preserving existing trees.

   (2) Structural Measures. Such as silt fences; earthen dikes; straw bales; graded terraces; pipe slope drains; porous rock check drains; sedimentation ponds; vegetated drainage swales; capping of contaminant sources; and physical or chemical treatment of stormwater.

(d) Preventive Maintenance. Perform inspections or other equivalent measures of storage tanks and pressure lines of fuels, lubricants, hydraulic fluid, and slurry to prevent leaks due to deterioration or faulty connections. Operators must regularly inspect, test, maintain, and repair all industrial equipment and systems to avoid situations that may result in leaks, spills, and other releases of pollutants in stormwater discharged to receiving waters.
(e) Additional Inspection Requirements

(1) Inspections of Active Mining-Related Areas. Except for areas of the site subject to clearing, grading, or excavation activities conducted as part of the exploration and construction phase, the permittee shall perform quarterly inspections of active mining areas covered by this permit.

(2) Comprehensive site inspections must be conducted by qualified personnel with at least one member of the stormwater pollution prevention team participating in the comprehensive site inspections. Comprehensive site inspections must cover all areas of the facility affected by the requirements in this permit, including the areas identified in the SWP3 as potential pollutant sources where industrial materials or activities are exposed to stormwater and areas where spills and leaks have occurred in the past 3 years. The inspections must also include a review of monitoring data collected in accordance with this permit.

6. Benchmark Monitoring Requirements

The following subsections must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

Table 17. Benchmark Monitoring Requirements for Subsections in Sector H

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description of Industrial Activity</th>
<th>Benchmark Parameter</th>
<th>Benchmark Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>1221-1241</td>
<td>Coal Mines and Coal Mining-Related Facilities</td>
<td>TSS</td>
<td>50 mg/L</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Aluminum, total</td>
<td>1.2 mg/L</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Iron, total</td>
<td>1.3 mg/L</td>
</tr>
</tbody>
</table>

7. Inactive and Unstaffed Sites

If the permittee operates an inactive and unstaffed Sector H facility (including temporarily inactive and unstaffed sites), the permittee may waive the routine inspection, quarterly visual assessment and benchmark monitoring requirements. The permittee is conditionally exempt from the requirement to certify that there are no industrial materials or activities exposed to stormwater, provided that all of the following conditions are met:

(a) if circumstances change and the facility becomes active or staffed, this exemption no longer applies and the operator must immediately begin complying with the applicable benchmark monitoring requirements as if they were in their first year of permit coverage, as well as the quarterly visual assessment requirements; and

(b) the discharge does not cause, have a reasonable potential to cause, or contribute to a violation of applicable water quality standards.

Subject to the two conditions above, if a Sector H facility is inactive and unstaffed, the operator is waived from the requirement to conduct quarterly visual assessments and routine facility inspections. Inactive industrial facilities must continue to conduct comprehensive site compliance inspections on at least an annual basis as described in Part III, Section B.5 of this permit. Inactive Sector H facilities may not obtain a waiver from comprehensive site compliance inspections.

8. Termination of Permit Coverage

(a) Termination of Permit Coverage for Sites Reclaimed After December 17, 1990. A site or a portion of a site that has been released from applicable state or federal reclamation
requirements after December 17, 1990, is no longer required to maintain coverage under this permit. If the site or portion of a site reclaimed after December 17, 1990, was not subject to reclamation requirements, the site or portion of the site is no longer required to maintain coverage under this permit if the site or portion of the site has been reclaimed as defined in the following:

(b) Termination of Permit Coverage for Sites Reclaimed Before December 17, 1990. A site or portion of a site that was released from applicable state or federal reclamation requirements before December 17, 1990, or that was otherwise reclaimed before December 17, 1990, is no longer required to maintain coverage under this permit if the site or portion of the site has been reclaimed. A site or portion of a site is considered to have been reclaimed if:

(1) stormwater runoff that comes into contact with raw materials, intermediate byproducts, finished products, and waste products does not have the potential to cause or contribute to violations of state water quality standards;
(2) soil disturbing activities related to mining at the sites or portion of the site have been completed;
(3) the site or portion of the site has been stabilized to minimize soil erosion; and
(4) as appropriate depending on location, size, and the potential to contribute pollutants to stormwater discharges, the site or portion of the site has been re-vegetated, will be amenable to natural re-vegetation, or will be left in a condition consistent with the post-mining land use.

Section I. Sector I of Industrial Activity - Oil and Gas Extraction Facilities

1. Description of Industrial Activity

Sector I facilities include facilities with activities directly related to oil and gas exploration, production, processing, or treatment operations; oil and gas transmission facilities prior to refining; and to oil and gas field service operations.

SECTOR I: OIL AND GAS EXTRACTION FACILITIES

SIC Codes Description of Industry Sub-sector

Industrial Activities Regulated under the EPA’s NPDES Program:

1311 Crude Petroleum and Natural Gas
1321 Natural Gas Liquids
1381, 1382 Drilling Oil and Gas Wells; and Oil and Gas Field Exploration Services
1389 Oil and Gas Field Services, Not Elsewhere Classified, that occur in the field (excluding oil field service company operations noted below.)

Industrial Activities Regulated under this General Permit:

1389 Oil and Gas Field Services, Not Elsewhere Classified, at a company headquarters, local offices, or at oil field service company “home base” that conduct only administrative and support activities for oil and gas field services that occur in the field.

(For detailed information about each SIC code, see Part II, Section A.1.b)
2. **Covered Stormwater Discharges**

   (a) **Agency Jurisdiction.** The requirements in Subpart I apply to stormwater discharges associated with industrial activity from oil and gas extraction facilities that are under the jurisdiction of the TCEQ, as identified by the SIC Codes specified in the table above. Specifically, this general permit only provides coverage for facilities described by SIC Code 1389 that occur at the service company headquarters, permanent offices, or similar bases of operations where this industrial activity may occur. This may include non-contiguous facilities, but excludes all activities that occur at a well site or that are regulated by the U.S. EPA or the Texas Railroad Commission.

   All of the other facilities with SIC codes listed above are not under the jurisdiction of the TCEQ and must obtain stormwater permit coverage from the U.S. EPA or the Texas Railroad Commission (RRC) as applicable.

   (b) **Contaminated Stormwater.** Facilities that are regulated under this general permit are only required to obtain permit coverage for contaminated stormwater. For the purposes of this section, contaminated stormwater is defined as stormwater runoff from a facility described by SIC Code 1389 that functions as a company headquarters, permanent office, or similar base of operations, and that has had one or more releases of a reportable quantity in stormwater for which notification has been required any time since November 16, 1987. For reportable quantity rules, see 30 TAC 327.

3. **Limitations on Permit Coverage**

   (a) **Non-contaminated Stormwater.** Facilities regulated under this general permit are not required to obtain authorization if the facility has not had a release of a reportable quantity in stormwater for which notification has been required any time since November 16, 1987.

   (b) **Stormwater Regulated by U.S. EPA.**

      (1) Coverage under this general permit is limited to oil and gas field service companies described by SIC code 1389 that occur at the company headquarters, permanent office, or similar base of operations. The requirements of this general permit are specific to those operations. Any facility described by an SIC code listed in the table above that is not covered by the TCEQ must obtain coverage as required from the U.S. EPA and the Texas RRC.

      (2) General permit coverage for other stormwater discharges associated with industrial activity described by Sector I are not eligible for coverage under this general permit, and coverage must be obtained, as required, from the U.S. EPA and / or the Texas RRC.

   (c) **Wash Water.** Discharges of vehicle and equipment wash water, including tank cleaning operations, are not authorized by this permit and such wash water discharges must be authorized under a separate TPDES permit, discharged to a sanitary sewer in accordance with applicable requirements, or disposed by an alternate authorized means.

4. **Additional SWP3 Requirements**

   (a) **Drainage Area Site Map.** The SWP3 must include the following information, in addition to what is required in Part III of this permit: location(s) of any reportable quantity (RQ) releases; locations used for the treatment, storage, or disposal of wastes; processing areas and storage areas; and chemical mixing areas.
(b) Potential Pollutant Sources. The SWP3 must document the following sources and activities, in addition to those already required in Part III of this general permit:

1. chemical, cement, mud, or gel mixing activities,
2. equipment cleaning and rehabilitation activities,
3. information about the reportable quantity (RQ) release(s) that triggered the permit application requirements:
   a. nature of the release (e.g., spill of oil from a drum storage area),
   b. amount of oil or hazardous substance released,
   c. amount of substance recovered,
   d. date of the release,
   e. cause of the release,
   f. area(s) affected by the release,
   g. procedure to clean up release,
   h. actions or procedures implemented to prevent or improve response to a release, and
   i. remaining potential contamination of stormwater from release.

(4) A “Summary of Potential Pollutant Sources.” The permittee shall document areas at their facility where industrial materials or activities are exposed to stormwater and from which allowable non-stormwater discharges are released.

Section J. Sector J of Industrial Activity - Mineral Mining and Processing Facilities

1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector J. Sector J industrial activities are described by the following SIC codes:

SECTOR J: MINERAL MINING AND PROCESSING FACILITIES

<table>
<thead>
<tr>
<th>SIC Codes</th>
<th>Description of Industry Sub-sector</th>
</tr>
</thead>
<tbody>
<tr>
<td>1411</td>
<td>Dimension Stone</td>
</tr>
<tr>
<td>1422 – 1429</td>
<td>Crushed and Broken Stone, Including Rip Rap</td>
</tr>
<tr>
<td>1442, 1446</td>
<td>Sand and Gravel Mining</td>
</tr>
<tr>
<td>1455, 1459</td>
<td>Clay, Ceramic, and Refractory Materials</td>
</tr>
<tr>
<td>1474 – 1479</td>
<td>Chemical and Fertilizer Mineral Mining</td>
</tr>
<tr>
<td>1481</td>
<td>Nonmetallic Minerals, Except Fuels</td>
</tr>
<tr>
<td>1499</td>
<td>Miscellaneous Nonmetallic Minerals, Except Fuels</td>
</tr>
</tbody>
</table>

(For detailed information about each SIC code, see Part II, Section A.1.b)
2. **Covered Discharges**

The requirements in Section J apply to stormwater discharges associated with industrial activity from Active and Inactive Non-Metallic Mineral Mining and Dressing facilities as identified by the SIC Codes specified under Sector J above. These include stormwater discharges and mine dewatering discharges that consist solely of stormwater and non-contaminated groundwater seepage from inactive, active, and temporarily inactive facilities; and from sites undergoing reclamation.

3. **Definitions**

The following definitions apply only to Section J of this general permit:

**Active Mineral Mining Facility.** A place where work or other activity related to the extraction, removal, or recovery of minerals is being conducted. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of “active mining area” found at 40 CFR §440.132(a), related to Ore Mining and Dressing Point Source Category.

**Active phase.** Activities including the extraction, removal, or recovery of minerals. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of “active mining area” found at 40 CFR §440.132(a), related to Ore Mining and Dressing Point Source Category. The active phase is considered part of mining operations.

**Aggregates.** Any commonly recognized construction material originating from a quarry or pit by the disturbance of the surface, including dirt, soil, rock asphalt, granite, gravel, gypsum, marble, sand, stone, caliche, limestone, dolomite, rock, riprap, or other non-mineral substance. The term does not include clay or shale mined for use in manufacturing structural clay products.

**Exploration phase.** Entails exploration and land disturbance activities to determine the financial viability of a site. The exploration phase is not considered part of mining operations.

**Inactive Mineral Mining Facility.** A site or portion of a site, with an identifiable operator, where mineral mining or milling occurred in the past but is not an active facility as defined above, where the inactive portion is not covered by an active mining permit, and where the reclamation phase has not been completed.

**Mine Dewatering.** (From 40 CFR §436.21) any water that is impounded or that collects in the mine and is pumped, drained or otherwise removed from the mine through the efforts of the mine operator. However, if a mine is also used for treatment of process generated waste water, discharges of commingled water from the facilities must be deemed discharges of process generated waste water.

**Mining operations.** Includes the active mining, inactive mining, the temporarily inactive mining, and the reclamation phases, but excludes the exploration and construction phases.

**Quarry.** The site from which aggregates for commercial sale are being or have been removed or extracted from the earth to form a pit, including the entire excavation, stripped areas, haulage ramps, and the immediately adjacent land on which the plant processing the raw materials is located. The term does not include any land owned or leased by the operator not being currently used in the production of aggregates for commercial sale or an excavation to mine clay or shale for use in manufacturing structural clay products.
**Temporarily Inactive Mineral Mining Facility.** A site or portion of a site where mineral mining or milling occurred in the past and is not currently being actively undertaken, and where the facility is covered by an active mining permit.

**Non-contaminated.** Free from the presence of pollutants attributable to industrial activity.

4. **Annual Comprehensive Site Compliance Evaluation**

The SWP3 must be revised to reflect the findings of the annual comprehensive site compliance evaluation within a maximum of 12 weeks following completion of the evaluation for inactive mining facilities.

5. **Limitations on Permit Coverage**

(a) This general permit does not authorize the discharge of stormwater runoff described in the Texas Water Code, §26.553 (related to certain quarries located in the John Graves Scenic Riverway, in the Brazos River Basin), where TCEQ rules require coverage under an individual permit or alternative general permit. These facilities must obtain coverage under an alternative TPDES permit as described in applicable TCEQ rules.

(b) This permit does not authorize discharges from facilities described under the federal effluent limitations guidelines in 40 CFR Part 436 (Mineral Mining and Processing Point Source Category), except that stormwater and non-contaminated groundwater seepage from sand, gravel, and crushed stone mining operations described in this rule may be discharged, as described in section J.2. above and section J.6. below.

(c) Sites where mining claims are being maintained prior to disturbances associated with the extraction, beneficiation, or processing of mined materials, and sites where minimal activities are undertaken for the sole purpose of maintaining a mining claim are not considered either active or inactive mining facilities and do not require a permit for stormwater discharges associated with industrial activity.

6. **Numeric Effluent Limitations**

Applicable to Sector J facilities discharging stormwater and mine dewatering consisting solely of stormwater and non-contaminated groundwater seepage from the following sand, gravel, and crushed stone mining operations that are subject to federal effluent limits. The following SIC codes are subject to numeric effluent limits for mine dewatering: 1422 – 1429 (Crushed Stone), 1442 (Construction Sand and Gravel), and 1446 (Industrial Sand).

(a) Construction Sand and Gravel (SIC 1442), Industrial Sand (SIC 1446), and Crushed Stone (SIC 1422 – 1429). The following numeric effluent limitations, based on guidelines for mine dewatering from the Mineral Mining and Processing Point Source Category (40 CFR Part 436), apply to mine dewatering operations (discharges from the mine pit of accumulated stormwater and non-contaminated groundwater seepage) at construction sand and gravel, industrial sand, or crushed stone mining facilities.

Samples of these discharges must be obtained before the runoff combines with other stormwater runoff, analyzed, and must not exceed the following numeric effluent limitations:

1) For mine dewatering discharges from facilities regulated under 40 CFR Part 436, Subpart B (Crushed Stone Subcategory) and Subpart C (Construction Sand and Gravel Subcategory), the following effluent limits apply:
Table 18. Numeric Effluent Limitations for Sector J Facilities Regulated under 40 CFR Subpart B and Subpart C

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Limitations Daily Avg.</th>
<th>Limitations Daily Max.</th>
<th>Monitoring Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>pH</td>
<td>6.0-9.0 S.U.</td>
<td>6.0-9.0 S.U.</td>
<td>1/Year</td>
</tr>
</tbody>
</table>

(2) For mine dewatering discharges from facilities regulated by 40 CFR Part 436, Subpart D (Industrial Sand Subcategory), the following effluent limits apply:

Table 3. Numeric Effluent Limitations for Sector J Facilities Regulated under 40 CFR Subpart D

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Limitations Daily Avg.</th>
<th>Limitations Daily Max.</th>
<th>Monitoring Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>TSS</td>
<td>25 mg/L</td>
<td>45 mg/L</td>
<td>1/Year</td>
</tr>
<tr>
<td>pH</td>
<td>6.0-9.0 S.U.</td>
<td>6.0-9.0 S.U.</td>
<td>1/Year</td>
</tr>
</tbody>
</table>

These limitations do not apply to Sector J facilities that are not subject to federal guidelines at 40 CFR Part 436.

(b) Sample Type. Grab samples must be collected for analyses prior to combining with other flows.

(c) Reporting Requirements. Monitoring for compliance with numeric effluent limitations in this section is subject to the following requirements:

(1) Results of monitoring must be recorded on a discharge monitoring report (DMR). The DMR must either be an original EPA No. 3320-1 form, a duplicate of the form, or as otherwise provided by the executive director.

(2) Monitoring must be conducted prior to December 31st for each annual monitoring period and the DMR must be submitted to the TCEQ’s Information Resources Division, Central File Room (MC-213) and to the appropriate TCEQ Regional Office by March 31st of the following year, as described in Part III, Section E.6. of this permit.

(3) In addition, a copy of the DMR must either be retained at the facility or must be made readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction by March 31st following the annual monitoring period.

(d) Waivers from Numeric Effluent Limitations. Numeric effluent limitations for mine dewatering do not apply to discharges that overflow from structural control facilities that are designed, constructed, and maintained to contain or treat the volume of mine dewatering wastewater that would result from a 10-year, 24-hour storm event. The permittee shall maintain, as a part of the SWP3, the following information in order to receive this waiver: engineering design records that demonstrate structural controls are adequate to intercept, contain, and treat the volume of runoff from a 10-year, 24-hour storm event; and records of rainfall from either a rain gauge that is located onsite or a rain gauge maintained in the immediate area of the site. Rainfall records are only required to document events that equal or exceed a 10-year, 24-hour event.
7. **Benchmark Monitoring Requirements**

The following subsectors must conduct benchmark monitoring on discharges of stormwater associated with industrial activities according to the requirements in Part IV of this general permit.

Table 20. Benchmark Monitoring Requirements for Subsections in Sector J

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description of Industrial Activity</th>
<th>Benchmark Parameter</th>
<th>Benchmark Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>1411</td>
<td>Dimension Stone Crushed and Broken Stone, Incl. Rip Rap Nonmetallic Minerals, Except Fuels</td>
<td>TSS</td>
<td>50 mg/L</td>
</tr>
<tr>
<td>1422-1429</td>
<td></td>
<td>pH</td>
<td>6.0-9.0 S.U.</td>
</tr>
<tr>
<td>1442</td>
<td>Sand and Gravel Mining</td>
<td>Nitrate + Nitrite N TSS</td>
<td>0.68 mg/L</td>
</tr>
<tr>
<td>1446</td>
<td></td>
<td>TSS</td>
<td>50 mg/L</td>
</tr>
</tbody>
</table>

8. **Mining Related Non-Stormwater Discharges**

Certification of Discharge Testing. The permittee shall test or evaluate all outfalls covered under this permit for the presence of specific mining-related non-stormwater discharges such as discharges subject to effluent limitations guidelines (e.g., 40 CFR Part 436). The SWP3 must include information on the discharge from each outfall.

9. **Additional SWP3 Requirements**

(a) Employee Training. The permittee shall conduct employee training at least once per year at active and temporarily inactive sites.

Training must be conducted for all employees who work in areas where industrial materials or activities are exposed to stormwater, or who are responsible for implementing activities necessary to meet the conditions of this permit (e.g., inspectors, maintenance personnel), including all members of the Pollution Prevention Team. Training must cover the specific control measures used to achieve the requirements in this section, plus the monitoring, inspection, planning, reporting, and documentation requirements in other parts of this permit.

(b) The following requirements are required to be in the SWP3 for active mineral mining facilities, temporarily inactive mineral mining facilities, and sites being returned or transitioned into an appropriate post mining use, and are in addition to the requirements listed in Part III of this general permit. These requirements are not applicable to inactive mineral mining facilities. (also see Part V, Section J.10. below)

1. A description of the nature of the industrial activities at the facility;

2. A map showing the general location of the facility and all surface waters for receiving discharges authorized under this general permit; and

3. A site map showing:
   a. the size of the property in acres;
   b. the location and extent of significant structures and impervious surfaces;
   c. locations of all existing structural control measures;
d. locations of all of the immediate receiving, with an indication whether any of the waters are impaired and, if so, whether the waters have TMDLs established for them;

e. locations of all stormwater conveyances including ditches, pipes, and swales;

f. locations of all stormwater monitoring points;

g. locations of stormwater inlets and outfalls, with a unique identification code for each outfall (e.g., Outfall No. 001, 002, etc), indicating if one or more outfalls is being treated as “substantially similar” in accordance with Part III, Section D.2.(b) of this general permit, and an approximate outline of the areas draining to each outfall;

h. locations and descriptions of all non-stormwater discharges identified under Part V, Section J.8.

i. locations of the following activities where such activities are exposed to stormwater:

   (i) fueling and maintenance areas;

   (ii) locations used for the treatment, storage, or disposal of wastes;

   (iii) liquid storage tanks;

   (iv) immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility;

   (v) transfer areas for substances in bulk; and machinery; and

   (vi) locations and sources of runon to the facility from adjacent property that contains significant quantities of pollutants.

(c) Potential Pollutant Sources. For each area of the mine or mill site, including onsite and offsite haul and access roads, where stormwater discharges associated with industrial activities occur, the permittee shall document in the SWP3 the types of pollutants (e.g., heavy metals, sediment) likely to be present in significant amounts.

10. Inactive and Unstaffed Sites – Monitoring Waivers

Conditional exemption from routine inspections, quarterly visual assessments, and benchmark monitoring:

A permitted operator of an inactive and unstaffed Sector J facility, including temporarily inactive and unstaffed sites may be waived from the routine inspection, quarterly visual assessment and benchmark monitoring requirements. These permittees are conditionally exempt from the requirement to certify that there are no industrial materials or activities exposed to stormwater, provided that all of the following conditions are met:

(a) If circumstances change and the facility becomes active or staffed, this exemption no longer applies and the operator must immediately begin complying with the applicable benchmark monitoring requirements as if they were in their first year of permit coverage, as well as the quarterly visual assessment requirements; and

(b) the discharge does not cause, have a reasonable potential to cause, or contribute to a violation of applicable water quality standards.
Subject to the two conditions above, if a Sector J facility is inactive and unstaffed, the operator is waived from the requirement to conduct quarterly visual assessments, routine facility inspections, and benchmark monitoring. Inactive industrial facilities must continue to conduct comprehensive site compliance inspections on at least an annual basis as described in Part III, Section B.5 of this permit. Inactive Sector J facilities may not obtain a waiver from comprehensive site compliance inspections.

11. Termination of Permit Coverage

(a) The permittee shall continue to meet the requirements of this general permit until authorization under the general permit is terminated. The permittee may terminate coverage by submitting an NOT in accordance with Part II.C.7 of this general permit. For the purposes of this section (Sector J), Part II.C.7.(a)(1)c. of the general permit, related to termination of coverage, means either that final stabilization of the site must be achieved or the site must be returned to an alternative post-mining use.

(b) A site or portion of a site is considered to have achieved final stabilization or to be returned to an alternative post mining use if the permittee can demonstrate that it has accomplished either of the following two conditions, (1) or (2):

(1) Final Stabilization. To achieve final stabilization, the permittee shall insure that all of the following requirements (a through d) have been met:

a. Stormwater runoff that comes into contact with raw materials, intermediate byproducts, finished products, and waste products does not have the potential to cause or contribute to violations of state water quality standards.

b. Soil disturbing activities related to mining at the site or portion of the site have been completed.

c. The site or portion of the site has been stabilized to minimize soil erosion.

d. If appropriate depending on the type, location, or size of the site, and its potential to contribute pollutants to stormwater discharges, the site or portion of the site has been revegetated, will be amenable to natural revegetation, or will be left in a condition consistent with the post-mining land use described in paragraph (2) below.

(2) Alternative Post Mining Use: For the purposes of this section, a permittee may submit an NOT to terminate coverage if the land has been returned to an alternative post-mining land use. For example, this may include construction pad sites and lakes.

Section K. Sector K of Industrial Activity - Hazardous Waste Treatment, Storage, and Disposal Facilities

1. Description of Industrial Activity

   Sector K facilities include those facilities with activities directly related to the treatment, storage, and disposal of hazardous wastes, including those that are operating under the regulatory authority and authorization of Subtitle C of the Resource Conservation and Recovery Act (RCRA).

SECTOR K: HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES

Activity Codes and Description of Industry Sub-sector
HZ Hazardous Waste Treatment, Storage, and Disposal Facilities

2. **Covered Stormwater Discharges**

Stormwater discharges from treatment, storage, or disposal facilities as defined under 30 TAC Chapter 335, Subchapter E (40 CFR Part 265), 30 TAC Chapter 305 (40 CFR Part 270), and 30 TAC Chapter 335, Subchapter F (40 CFR Part 264), including those operating under interim status or a permit under these rules, may obtain coverage under this general permit if other applicable requirements are met.

3. **Limitations on Permit Coverage**

   (a) Coverage is limited to those facilities that treat, store, or dispose of hazardous waste and are defined under 30 TAC Chapter 335, Subchapter E (40 CFR Part 265), 30 TAC Chapter 305 (40 CFR Part 270), or 30 TAC Chapter 335, Subchapter F (40 CFR Part 264), including those operating under interim status or a permit under these rules. The executive director may require an individual TPDES permit for any discharges under this sector if conditions warrant.

   (b) This section does not include generators who temporarily store hazardous waste pursuant to the requirements in 30 TAC §§335.69 (40 CFR §262.34), 335.2(d)(5), 335.41, or 335-94 (40 CFR §263.12). Based on the facility SIC code, operators of such facilities may be regulated under an alternative sector of this general permit, or may not require permit coverage.

   (c) This general permit does not authorize the discharge of landfill wastewater subject to federal effluent guidelines at 40 CFR Part 445 (Landfills Point Source Category), including, but not limited to: leachate; gas collection condensate; drained free liquids; laboratory derived wastewater; contaminated stormwater; and contact washwater from washing truck, equipment and railcar exteriors and surface areas that have come in direct contact with solid waste at the landfill facility. The discharge or disposal of landfill wastewater subject to federal effluent guidelines at 40 CFR Part 445 must be authorized under an individual TPDES permit or other authorized means.

   (d) All facilities regulated under this general permit that treat, store, or dispose of hazardous waste must comply with all applicable rules and regulations, including 30 TAC Chapters 305 and 335.

4. **Definitions**

   **Contaminated stormwater.** Stormwater that comes into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater. Some specific areas of a landfill that may produce contaminated stormwater include (but are not limited to) the open face of an active landfill with exposed waste (no cover added); the areas around wastewater treatment operations; trucks, equipment, or machinery that has been in direct contact with the waste; and waste dumping areas.

   **Drained free liquids.** Aqueous wastes drained from waste containers (e.g., drums) prior to land filling.

   **Landfill.** A disposal facility or part of a facility where solid waste or hazardous waste is placed in or on land and that is not a pile, a land treatment facility, a surface impoundment, an injection well, a salt dome formation, a salt bed formation, an underground mine, a cave, or a corrective action management unit, as these terms are defined elsewhere in TCEQ or EPA rules.
**Landfill wastewater.** As defined in 40 CFR Part 445 (Landfills Point Source Category), all wastewater associated with, or produced by, land filling activities except for sanitary wastewater, non-contaminated stormwater, contaminated groundwater, and wastewater from recovery pumping wells. Landfill wastewater includes, but is not limited to, leachate, gas collection condensate, drained free liquids, laboratory derived wastewater, contaminated stormwater, and contact washwater from washing truck, equipment, and railcar exteriors and surface areas that have come in direct contact with solid waste at the landfill facility.

**Leachate.** Any liquid, included any suspended components in the liquid, that has percolated through or drained from solid waste or hazardous waste.

**Non-contaminated stormwater.** Stormwater that does not come into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater. Non-contaminated stormwater includes stormwater that flows off the cap, cover, intermediate cover, daily cover, or final cover of the landfill.

### 5. Benchmark Monitoring Requirements

The following subsections must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

<table>
<thead>
<tr>
<th>Activity Code</th>
<th>Description of Industrial Activity</th>
<th>Benchmark Parameter</th>
<th>Benchmark Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>HZ</td>
<td>Hazardous Waste Treatment, Storage, and Disposal</td>
<td>Ammonia-Nitrogen Magnesium, total COD</td>
<td>1.7 mg/L</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Arsenic, total Cadmium, total Cyanide, total Lead, total Mercury, total Selenium, total Silver, total</td>
<td>1.4 mg/L, 1.4 mg/L, 60 mg/L, 0.01 mg/L, 0.001 mg/L, 0.02 mg/L, 0.01 mg/L, 0.0002 mg/L, 0.01 mg/L, 0.002 mg/L</td>
</tr>
</tbody>
</table>

### Section L. Sector L of Industrial Activity - Landfills and Land Application Sites

1. **Description of Industrial Activity**

The requirements under this section apply to stormwater discharges from activities identified and described as Sector L. Sector L industrial activities are described by the following Industrial Activity Code:

**SECTOR L: LANDFILLS AND LAND APPLICATION SITES**

*Activity Codes and Description of Industry Sub-sector*

LF -Landfills, Land Application Sites, and Open Dumps that Receive or Have Previously Received Industrial Waste, including sites subject to regulation under Subtitle D of the Resource Conservation and Recovery Act (RCRA).

2. **Definitions**

The following definitions apply only to Section L of this general permit:
Contaminated Stormwater. Stormwater that comes into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater. Some areas of a landfill that may produce contaminated stormwater include (but are not limited to) the open face of an active landfill with exposed waste (no cover added); the areas around wastewater treatment operations; trucks, equipment, or machinery that has been in direct contact with the waste; and waste dumping areas.

Drained Free Liquid. Aqueous wastes drained from waste containers (e.g., drums) prior to land filling.

Final Stabilization. For the purpose of this permit, includes all requirements needed to achieve final regulatory closure of the site.

Inactive Landfill. A facility that no longer receives waste and has completed closure according to all applicable federal, state, and local requirements, but where an authorization under this general permit is maintained.

Industrial Waste. Solid waste from manufacturing portions of industrial activities defined in this general permit.

Landfill. A solid waste management unit where solid waste is placed in or on land and that is not a pile, a land treatment unit, a surface impoundment, an injection well, a salt dome formation, an underground mine, a cave, or a corrective action management unit.

Landfill Wastewater. As defined in 40 CFR Part 445 (Landfills Point Source Category) all wastewater associated with, or produced by, land filling activities except for sanitary wastewater, non-contaminated stormwater, contaminated groundwater, and wastewater from recovery pumping wells. Landfill process wastewater includes, but is not limited to, leachate, gas collection condensate, drained free liquids, laboratory-derived wastewater, contaminated stormwater, and contact wash water from washing truck, equipment, and railcar exteriors and surface areas that have come in direct contact with solid waste at the landfill facility.

Land Application Site, or Land Treatment Facility. For the purpose of this permit, a facility or part of a facility at which solid waste is applied onto or incorporated into the soil surface and that is not a corrective action management unit; such facilities are disposal facilities if the waste will remain after closure.

Leachate. Liquid that has passed through or emerged from solid waste and contains soluble, suspended, or miscible materials removed from such waste.

Municipal Solid Waste (MSW). Solid waste, resulting from or incidental to municipal, community, commercial, institutional, and recreational activities, including garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles, and all other solid waste other than industrial solid waste.

Municipal Solid Waste Facility. All contiguous land, structures, other appurtenances, and improvements on the land used for processing, storing, or disposing of solid waste. A facility may be publicly or privately owned and may consist of several processing, storage, or disposal operational units, e.g., one or more landfills, surface impoundments, or combinations of them.

Municipal Solid Waste Landfill Unit. A discrete area of land or an excavation that receives household waste and that is not a land application unit, surface impoundment, injection well, or waste pile, as those terms are defined under 40 CFR §257.2. A municipal solid waste (MSW) landfill unit also may receive other types of Resource Conservation and Recovery Act (RCRA) Subtitle D wastes, such as commercial solid waste, nonhazardous
sludge, conditionally exempt small-quantity generator waste, and industrial solid waste. Such a landfill may be publicly or privately owned. An MSW landfill unit may be a new MSW landfill unit, an existing MSW landfill unit, a vertical expansion, or a lateral expansion.

**Non-Contaminated Stormwater.** Stormwater that does not come into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater. Non-contaminated stormwater includes stormwater that flows off the cap, cover, intermediate cover, intact daily cover, or final cover of the landfill.

**Open Dump.** A facility for the disposal of solid waste that is not otherwise defined in this section.

**Temporary Stabilization.** A condition where exposed soils or disturbed areas are provided a protective cover, which may include temporary seeding, geotextiles, mulches, and other techniques to reduce or eliminate erosion until either final stabilization can be achieved or until further construction activities take place.

3. **Covered Stormwater Discharges**

   (a) This permit authorizes the discharge of non-contaminated stormwater and uncontaminated groundwater associated with waste disposal at landfills, land application sites, and open dumps that receive or have received solid waste from an industrial activity covered under this general permit, including sites subject to regulation under Subtitle D of RCRA.

   (b) Landfill activities include the construction of new landfill cells that take place as part of normal landfill operations. This permit does not cover stormwater discharges from the initial construction of the landfill.

   (c) Stormwater discharges from sites where wastewater or sludge is land applied is not required to be permitted, provided that the disposal site is properly permitted by the TCEQ or the EPA, and that stormwater runoff from the disposal site does not contact the wastewater or sludge.

4. **Limitations on Permit Coverage**

   (a) This general permit does not authorize the discharge of landfill wastewater subject to federal effluent guidelines at 40 CFR Part 445 (Landfills Point Source Category), including: leachate; gas collection condensate; drained free liquids; laboratory derived wastewater; contaminated stormwater; and contact wash water from washing truck, equipment and railcar exteriors. The discharge or disposal of landfill wastewater must be authorized under an individual TPDES permit or other authorized means.

   (b) Non-contaminated stormwater discharges from any landfill; land application site; or open dump that does not receive or has not received any solid waste from industrial activities regulated under this permit does not require authorization under this permit.

   (c) Closed Landfills. Permit Coverage is not required where a site has achieved final regulatory closure with respect to solid waste regulations, and where the entire landfill area has been filled in, re-graded, and finally stabilized. If the landfill has been closed according to TCEQ regulations (including re-grading and stabilization) and is in the regulatory post closure monitoring period, then MSGP coverage is not required as long as there is no other industrial activity occurring at the site. Industrial activity may include, but is not limited to, associated vehicles and equipment, material handling or storage areas, buildings, waste or material storage piles, and access roads.
Closed or inactive landfills that are no longer in use but that have not received closure approval from TCEQ (and hence have not begun the 30 year post closure monitoring), would still be considered industrial activities and coverage should be maintained as an inactive landfill.

(d) All permittees regulated under this section of the general permit that generate solid waste, including municipal solid waste, shall comply with all applicable rules and regulations, including 30 TAC Chapter 330.

5. Additional SWP3 Requirements

(a) Maintenance Program. The permittee shall maintain all elements of leachate collection and treatment systems in order to prevent the discharge of stormwater that has commingled with leachate, contaminated stormwater, or other landfill wastewater. The permittee shall also maintain integrity and effectiveness of any intermediate or final cover (including repairing the cover as necessary), for the purpose of minimizing the effects of settlement, sinking, and erosion.

(b) Erosion and Sedimentation Control Measures. The permittee shall provide temporary stabilization (for example, temporary seeding, mulching, and placing geotextiles on the inactive portions of stockpiles) for the following areas and activities:

1. materials stockpiled for daily, intermediate, and final cover;
2. inactive areas of the landfill or open dump;
3. landfills or open dump areas that have gotten final covers but where vegetation has yet to establish itself; and
4. land application sites where waste application has been completed but final vegetation has not yet been established.

(c) Investigation and Certification of Non-Stormwater Discharges. The permittee shall include leachate, vehicle wash water, and contaminated stormwater in its investigation and certification of non-stormwater discharges.

(d) Site Map. The site map must depict the locations of the following:

1. active and closed landfill cells or trenches;
2. active and closed land application areas;
3. any known leachate springs or similar uncontrolled leachate sources that could contact stormwater; and
4. leachate collection and treatment systems.

(e) Summary of Potential Pollutant Sources. The SWP3 must include documentation of the following activities:

1. fertilizer, herbicide, and pesticide application;
2. earth and soil moving;
3. waste hauling and loading or unloading;
4. outdoor storage of significant materials, including daily, interim, and final cover material stockpiles as well as temporary waste storage areas;
5. exposure of active and inactive landfill and land application areas;
6. uncontrolled leachate flows; and
(7) failure or leaks from leachate collection and treatment systems.

(f) Periodic Inspections.

(1) Inactive sites. For inactive landfills and land application sites, this section of the SWP3 must include inspection procedures for qualified personnel to evaluate the stabilization and structural erosion control measures, as well as the leachate collection and treatment systems.

(2) Periodic Inspection Frequency. Inspection procedures must be developed according to the standard periodic inspection requirements described in Part III, Section B. of this general permit, but inspections must be conducted at the following frequencies:

   a. for active landfills, open dumps, and land application sites, at least once every seven (7) days; alternatively, in arid areas, inspections may be conducted at least once each month; or

   b. for areas of landfill sites where landfill activities are completed and soils are finally stabilized, and for land application sites where land application has been completed, inspections must be conducted at least once every month.

(g) Erosion Control Measures. The permittee shall provide temporary stabilization of all materials that are stockpiled and stored for future use. Inactive areas of the landfill with stockpiled materials that have intermediate cover, but no final cover, must be stabilized. Inactive areas that have received final cover must be temporarily stabilized until final stabilization measures are completed. Inactive land application areas must be temporarily stabilized until final stabilization measures are completed.

(h) Records. Operators of landfills or open dumps shall keep records of the types of wastes disposed of in each cell or trench, and land application site operators shall maintain a tracking system to define the types and quantities of wastes applied within specific areas of the application site. These records must either be included in the SWP3 or be referenced and made readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction.

6. Benchmark Monitoring Requirements

The following subsections must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

Table 22. Benchmark Monitoring Requirements for Activity Codes in Sector L

<table>
<thead>
<tr>
<th>Activity Code</th>
<th>Description of Industrial Activity</th>
<th>Benchmark Parameter</th>
<th>Benchmark Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>LF</td>
<td>Landfills, Land Application Sites, and Open Dumps</td>
<td>TSS</td>
<td>100 mg/L</td>
</tr>
<tr>
<td></td>
<td>Iron, total*</td>
<td></td>
<td>1.3 mg/L</td>
</tr>
</tbody>
</table>

*Sampling for total iron is not required for discharges from municipal solid waste landfill areas that have been closed in accordance with 40 CFR §258.60.
Section M. Sector M of Industrial Activity - Automobile Salvage Yards

1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector M. Sector M industrial activities are described by the following SIC code:

**SECTOR M: AUTOMOBILE SALVAGE YARDS**

<table>
<thead>
<tr>
<th>SIC Codes</th>
<th>Description of Industry Sub-sector</th>
</tr>
</thead>
<tbody>
<tr>
<td>5015</td>
<td>Automobile Salvage Yards</td>
</tr>
</tbody>
</table>

(For detailed information about each SIC code, see Part II, Section A.1.b)

2. Additional SWP3 Requirements

(a) Employee Training. The following areas must be addressed in the employee training program: proper handling (collection, storage, and disposal) of oil, used mineral spirits, anti-freeze, mercury switches, and solvents.

(b) Site Map. Include the locations of the following:

   (1) vehicle and vehicle parts storage areas;
   (2) vehicle dismantling areas;
   (3) vehicle and equipment fueling and maintenance areas;
   (4) vehicle, parts, and equipment cleaning areas;
   (5) waste treatment, storage and disposal areas; and
   (6) areas where fluids or fuels are stored in drums, tanks, or other containers.

(c) The SWP3 must include an assessment of the potential for each of the areas listed above to contribute pollutants to stormwater discharges from the site.

(d) Spill Prevention and Response Measures.

   (1) Vehicles must be inspected for leaking fluids upon arrival at the facility. Actions must be immediately taken to prevent the discharge of fluids according to specific measures established by the operator within the spill prevention and response measures section of the SWP3. Upon the arrival (or as soon after the arrival as feasible) of vehicles at the site that are intended to be dismantled, the permittee shall drain those vehicles of all fluids, or shall employ another equivalent mean to prevent spills and leaks.

   (2) Vehicles that are stored but are not drained of fluids must be inspected for leaks at least once per quarter. These inspections may be incorporated as part of the standard periodic inspections. The spill prevention and response measures must be developed with specific guidelines for inspecting stored vehicles and measures to be taken when vehicles are identified as leaking or in danger of developing leaks. All fluids must be handled and disposed of according to all applicable state and federal regulations.

(e) Periodic Inspections. Equipment containing oily parts, hydraulic fluids, or other fluids must be inspected for leaks during the periodic inspections.
(f) Good Housekeeping Measures. Equipment operators shall conduct inspections of equipment on a daily basis when equipment is in use.

(g) Employee Training Program and Employee Education. The employee training program must include training on the following operations at facilities where these activities occur or wastes are generated:

1. used oil and spent solvent management;
2. management of metal filings and dust from welding, grinding, and similar operations that produce metal waste; and
3. lead-acid battery management.

3. Benchmark Monitoring Requirements

The following subsections must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

Table 23. Benchmark Monitoring Requirements for Subsections in sector M

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description of Industrial Activity</th>
<th>Benchmark Parameter</th>
<th>Benchmark Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>5015</td>
<td>Automobile Salvage Yards</td>
<td>Aluminum, total</td>
<td>1.2 mg/L</td>
</tr>
<tr>
<td></td>
<td></td>
<td>TSS</td>
<td>100 mg/L</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Iron, total</td>
<td>1.3 mg/L</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lead, total</td>
<td>0.010 mg/L</td>
</tr>
</tbody>
</table>

Section N. Sector N of Industrial Activity - Scrap and Waste Recycling Facilities

1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector N. Sector N industrial activities are described by the following SIC Code:

SECTOR N: SCRAP AND WASTE RECYCLING FACILITIES

<table>
<thead>
<tr>
<th>SIC Codes</th>
<th>Description of Industry Sub-sector</th>
</tr>
</thead>
<tbody>
<tr>
<td>5093</td>
<td>Scrap and Waste Recycling Facilities (e.g., metals, paper, plastic, cardboard, glass, animal hides, used oil, antifreeze, mineral spirits, industrial solvents, computers, electronics, and other materials listed in the SIC Code Manual Under SIC 5093)</td>
</tr>
</tbody>
</table>

(For detailed information about each SIC code, see Part II, Section A.1.b)

2. Limitations on Permit Coverage

Stormwater discharges from storage or stockpile areas for metal turnings previously exposed to cutting oils, are only eligible for coverage if these materials are isolated from stormwater by storm resistant shelters or if the following BMPs are implemented:

(a) dedicated containment areas are used that include a perimeter barrier to prevent stormwater runon and runoff; containment areas and perimeter barriers are constructed of concrete, or other similar impermeable oil-resistant materials; and
(b) if discharges only occur following treatment through an oil/water separator or similarly efficient treatment unit.

3. Additional SWP3 Requirements

(a) Requirements for Specific Facilities:

(1) Scrap and Waste Recycling Facilities (Non-Source Separated, Non-liquid Recyclable Materials). The requirements below apply to facilities that receive, process, and wholesale distribute non-liquid recyclable wastes (e.g., ferrous and nonferrous metals, plastics, glass, cardboard, and paper) and that may receive both non-recyclable and recyclable materials. These requirements do not apply to facilities that accept recyclables only from sources that are primarily non-industrial and residential.

a. Inbound Recyclable and Waste Material Control Program. The permittee shall conduct inspections of inbound recyclables and waste materials to minimize the acceptance materials that could be significant sources of pollutants.

b. Scrap and Waste Material Stockpiles and Storage (Outdoor). The permittee shall minimize the potential for stormwater to contact stockpiled materials, processed materials, and non-recyclable wastes.

c. Stockpiling of Turnings Exposed to Cutting Fluids (Outdoor Storage). The permittee shall minimize the potential for stormwater to contact residual cutting fluids.

d. Scrap and Waste Material Stockpiles and Storage (Covered or Indoor Storage). The permittee shall minimize the potential for stormwater to contact residual liquids and particulate matter from materials stored indoors or under cover.

e. Scrap and Recyclable Waste Processing Areas. The permittee shall minimize the potential for stormwater to contact scrap processing equipment by addressing operations that generate visible amounts of particulate residue (e.g., shredding) and minimizing the contact of accumulated particulate matter and residual fluids with runoff (e.g., through good housekeeping, preventive maintenance).

f. Scrap Lead-Acid Battery Program. The permittee shall properly handle, store, and dispose of scrap lead-acid batteries, and shall segregate scrap lead-acid batteries from other scrap materials.

g. Spill Prevention and Response Procedures. The permittee shall install alarms or pump shutoff systems on outdoor equipment with hydraulic reservoirs exceeding 150 gallons in the event of a line break. Alternatively, the permittee may use a secondary containment system capable of holding the entire contents of the reservoir plus room for precipitation. The permittee shall use a mercury spill kit for any release of mercury from switches, anti-lock brake systems, and switch storage areas.


a. Waste Material Storage (Indoor). The permittee shall minimize the potential for stormwater to contact residual liquids from waste materials stored indoors.

b. Waste Material Storage (Outdoor). The permittee shall minimize the potential for stormwater to contact stored residual liquids. The SWP3 may refer to
applicable portions of other existing plans, such as SPCC plans required by 40 CFR Part 112.

c. Trucks and Rail Car Waste Transfer Areas. The permittee shall minimize the potential for pollutants in discharges from truck and rail car loading and unloading areas, and shall include measures to clean up minor spills and leaks resulting from the transfer of liquid wastes.

(3) Recycling Facilities (Source-Separated Materials). The following requirements apply to facilities that receive only source-separated recyclables, primarily from non-industrial and residential sources (e.g. local government recycling facility).

a. Inbound Recyclable Material Control. The permittee shall minimize the chance of accepting non-recyclables (e.g., hazardous materials) that could be a significant source of pollutants by conducting inspections of inbound materials.

b. Outdoor Storage. The permittee shall minimize exposure of recyclables to stormwater, and shall use good housekeeping measures to prevent accumulation of particulate matter and fluids, particularly in high traffic areas.

c. Indoor Storage and Material Processing. The permittee shall minimize the release of pollutants from indoor storage and processing areas.

d. Vehicle and Equipment Maintenance. The permittee shall establish controls to minimize pollutants in stormwater from vehicle and equipment maintenance.

(b) Drainage Area Site Map. The site map must include the locations of any of the following activities or sources that may be exposed to precipitation or surface runoff: scrap and waste material storage, outdoor scrap and waste processing equipment; and containment areas for turnings exposed to cutting fluids.

(c) Maintenance Schedules/Procedures for Collection, Handling, and Disposal or Recycling of Residual Fluids at Scrap and Waste Recycling Facilities. For any facility that is subject to Part V, Section N.3.(a)(3) above, the SWP3 must identify any applicable maintenance schedule and the procedures to collect, handle, and dispose or recycle residual fluids.

(d) Additional Inspection Requirements. Routine Facility Inspections must be performed once per quarter as described in Part III, Section B.2., and must include, at a minimum, all areas where waste is generated, received, stored, treated, or disposed and that are exposed stormwater.

4. Benchmark Monitoring Requirements

The following subsections must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

Table 24. Benchmark Monitoring Requirements for Subsections in sector N

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description of Industrial Activity</th>
<th>Benchmark Parameter</th>
<th>Benchmark Value</th>
</tr>
</thead>
</table>

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Section O. Sector O of Industrial Activity - Steam Electric Generating Facilities

1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector O. Sector O industrial activities are described by the following Industrial Activity Code:

**SECTOR O: STEAM ELECTRIC GENERATING FACILITIES**

*Activity Code and Description of Industry Sub-sector*

SE - Steam Electric Power Generating Facilities

(For detailed information about each SIC code, see Part II, Section A.1.b)

2. Covered Stormwater Discharges

The requirements of this section apply to stormwater discharges from the following facilities:

(a) Steam electric power generating facilities as defined in 40 CFR §122.26(b)(14)(vii), that use coal, natural gas, oil, nuclear energy, or other fuel to produce a steam source, including facilities regulated under 40 CFR Part 423 (Steam Electric Power Generating Point Source Category);

(b) coal handling areas located at regulated facilities;

(c) coal pile runoff at regulated facilities; and

(d) duel fuel facilities that could employ a steam boiler.

3. Limitations on Permit Coverage

(a) Non-stormwater discharges subject to effluent limitations guidelines at 40 CFR Part 423 are not eligible for coverage under this general permit.

(b) Stormwater discharges from the following types of facilities are not required to obtain permit coverage and are not eligible for coverage under this general permit:

   (1) ancillary facilities (for example, fleet centers and substations) that are not contiguous to a steam electric power generating facility;

   (2) gas turbine facilities (providing the facility is not a dual-fuel facility that includes a steam boiler) and combined-cycle facilities where no supplemental fuel oil is burned (and the facility is not a dual-fuel facility that includes a steam boiler); and

   (3) cogeneration (combined heat and power) facilities utilizing a gas turbine.
4. Additional SWP3 Requirements

(a) Drainage Area Site Map. The site map must clearly identify the locations of any of the following activities or sources, if they are exposed to stormwater: storage tanks, scrap yards, and general refuse areas; areas used for short-term or long-term storage of general materials; landfills; and stock pile areas.

(b) Good Housekeeping Measures. The permittee shall implement the following housekeeping measures, which must also be documented in the SWP3:

1. Fugitive Dust Emissions. Minimize fugitive dust emissions from coal handling areas, and the tracking of coal dust offsite.

2. Minimize the potential for stormwater contamination from the following areas or activities:
   a. delivery vehicles arriving at the plant site;
   b. fuel oil unloading areas;
   c. chemical loading and unloading;
   d. miscellaneous loading and unloading areas;
   e. above-ground liquid storage tanks;
   f. large bulk fuel storage tanks;
   g. oil-bearing equipment in switchyard areas;
   h. areas adjacent to disposal ponds or landfills; and
   i. landfills, scrap yards, surface impoundments, open dumps, general refuse sites.

3. Spill Reduction Measures. Implement BMPs to minimize the potential for an oil or chemical spill, or reference the appropriate part of a SPCC plan, if applicable.

4. Residue-Hauling Vehicles. Inspect all residue-hauling vehicles for proper covering over the load, adequate gate sealing, and overall integrity of the container body. Repair vehicles without load covering or adequate gate sealing, or with leaking containers or beds.

5. Ash Loading Areas. Reduce or control the tracking of ash and residue from ash loading areas. Clear the ash building floor and immediately adjacent roadways of spillage, debris, and excess water before departure of each loaded vehicle.

(c) Additional Inspection Requirements

1. Periodic Inspections. In addition to the standard routine facility inspection requirements described in Part III, Section B.2. of this general permit, visual inspections must be conducted at least once per week to determine the structural integrity of above-ground storage tanks, pipelines, pumps and other related equipment. If repairs are necessary, they must be performed as expeditiously as practicable; except that repairs must be made immediately if there is a risk to water quality.

2. Comprehensive Site Compliance Evaluation. In addition to the standard site compliance inspections described in Part III, Sections B.2. and B.5. of this general permit, personnel must inspect coal handling areas, loading/unloading areas, switchyards, fueling areas, bulk storage areas, ash handling areas, disposal ponds
and landfills, maintenance areas, liquid storage tanks, and material storage areas at a minimum frequency of once per month.

5. **Numeric Effluent Limitations - Applicable to Sector O Facilities Discharging Coal Pile Runoff**

   (a) The following numeric effluent limitations, based on guidelines from the Steam Electric Generating Point Source Category [40 CFR §§423.12 (b)(1) and (9)] apply to any stormwater runoff from coal pile storage areas. Samples of these discharges must be obtained before the runoff combines with any other discharge, and shall be analyzed for the following pollutants. The analytical result must not exceed the following numeric effluent limitations:

   **Table 4. Numeric Effluent Limitations for Sector O facilities discharging Coal Pile Runoff**

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Limitations Daily Max</th>
<th>Monitoring Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>TSS</td>
<td>50 mg/L</td>
<td>1/Year</td>
</tr>
<tr>
<td>pH</td>
<td>6.0-9.0 S.U.</td>
<td>1/Year</td>
</tr>
</tbody>
</table>

   (b) Sample Type. Grab samples must be collected for analyses prior to combining with other flows.

   (c) Reporting Requirements. Monitoring for compliance with numeric effluent limitations in this section is subject to the following requirements:

   1. Results of monitoring must be recorded on a discharge monitoring report (DMR). The DMR must either be an original EPA No. 3320-1 form, a duplicate of the form, or as otherwise provided by the executive director.

   2. Monitoring must be conducted prior to December 31st for each annual monitoring period and the DMR must be submitted to the TCEQ’s Information Resources Division, Central File Room (MC-213) and to the appropriate TCEQ Regional Office by March 31st of the following year, as described in Part III, Section E.6. of this permit.

   3. In addition, a copy of the DMR must either be retained at the facility or must be made readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction by March 31st following the annual monitoring period.

   (d) Waivers from Numeric Effluent Limitations. Numeric effluent limitations for runoff from coal pile storage areas do not apply to discharges that overflow from structural control facilities that are designed to contain and treat runoff from a 10-year, 24-hour storm event. The permittee shall maintain, as a part of the SWP3, the following information in order to receive this waiver: engineering design records that demonstrate structural controls are adequate to intercept, contain, and treat the volume of runoff from a 10-year, 24-hour storm event; and records of rainfall from either a rain gauge that is located onsite or a rain gauge maintained in the immediate area of the site. Rainfall records are only required to document events that equal or exceed a 10-year, 24-hour event.
6. **Benchmark Monitoring Requirements**

The following subsections must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

Table 26. Benchmark Monitoring Requirements for Subsections in Sector O

<table>
<thead>
<tr>
<th>Activity Code</th>
<th>Description of Industrial Activity</th>
<th>Benchmark Parameter</th>
<th>Benchmark Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>SE</td>
<td>Steam Electric Power Generating Facilities</td>
<td>Iron, total TSS</td>
<td>1.3 mg/L</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>50 mg/L</td>
</tr>
</tbody>
</table>

**Section P. Sector P of Industrial Activity - Land Transportation and Warehousing**

Land Transportation and Warehousing includes the following types of facilities: motor freight transportation facilities; passenger transportation facilities; petroleum bulk oil stations and terminals; rail transportation facilities; and United States Postal Service (USPS) transportation facilities.

1. **Description of Industrial Activity**

The requirements under this section apply to stormwater discharges from activities identified and described as Sector P. Sector P industrial activities are described by the following SIC codes:

**SECTOR P: LAND TRANSPORTATION AND WAREHOUSING**

*SIC Codes Description of Industry Sub-sector*

4011, 4013 Railroad Transportation
4111 – 4173 Local and Highway Passenger Transportation
4212 – 4215 Trucking and Courier Services, Except Air
4221, 4222 Farm Product Warehousing and Storage; and Refrigerated Warehousing and Storage
4225 General Warehousing and Storage
4226 Special Warehousing and Storage, Not Elsewhere Classified
4231 Terminal and Joint Terminal Maintenance Facilities for Motor Freight Transportation
4311 United States Postal Service
5171 Petroleum Bulk Stations and Terminals

(For detailed information about each SIC code, see Part II, Section A.1.b)

2. **Covered Stormwater Discharges**

(a) For facilities described by SIC codes listed above, except for SIC codes 4221, 4222, and 4225, permit coverage is only required for stormwater discharges from areas where the following activities are performed: vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication) or equipment
cleaning. Coverage for stormwater runoff from additional areas may be obtained as described in Part V, Section P.2.(d) below.

(b) For SIC codes 4221, 4222, and 4225, permit coverage is required for stormwater discharges from all areas of the facility. Facilities described by these SIC codes must obtain coverage by submitting an NOI, or a no exposure exclusion by submitting an NEC form, except as described in Part V, Section P.2.c. below for facilities described by SIC code 4225 only (General Warehousing and Storage) that do not have areas where vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication) or equipment cleaning activities are performed.

(c) Facilities described by SIC code 4225 that do not have areas where vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication) or equipment cleaning activities are performed are designated for coverage under this general permit and are not required to submit an NOI for coverage. These facilities must comply only with the following permit requirements and are not subject to additional requirements that are listed in this permit:

1. The facility must maintain conditions that ensure there is no exposure of industrial activities to stormwater;
2. The facility operator must comply with the requirements of Part III, Section E. of this general permit, related to Standard Permit Conditions, except that the operator is not required to submit an NOI or NEC form, prepare a SWP3, or conduct analytical monitoring; and
3. The site must not contain any areas that are used for vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication) or equipment cleaning activities.

The facility operator must apply for coverage if any of the requirements listed above are not met. If the TCEQ determines that additional controls are required other than those listed above, or that there is a concern regarding the discharge of elevated levels of pollutants, then the TCEQ may require a facility described by SIC code 4225 to obtain coverage and meet all permit conditions through submittal of an NOI or an individual permit application.

(d) Runoff from materials storage or handling areas:

1. The permittee may obtain authorization to discharge stormwater under this general permit from additional areas of Sector P facilities where materials, intermediates, or products are stored or handled, and where the discharge from these areas would otherwise require authorization under a TPDES individual permit or alternative general permit. This permit does not authorize the discharge of any process wastewater from material storage or handling areas, including contaminated stormwater.

2. In order to obtain coverage for any materials storage or handling areas, the permittee shall ensure that the SWP3 addresses these areas and that the SWP3 contains the following additional elements, in addition to those required in Part III of this general permit:
   a. list of the pollutants that may be present in the material and exposed to precipitation or runoff;
   b. an indication on the site map of all material storage and handling areas that are being included under the MSGP authorization; and
c. description and implementation of BMPs that specifically address the material that is exposed to rainfall or runoff.

(3) This section does not expand the definition of stormwater associated with industrial activity. If runoff from the materials storage and handling areas are not subject to TPDES wastewater permitting, then the SWP3 is not required to address these areas.

3. Limitations on Coverage

(a) Prohibited Discharges. Except as allowed in Part II, Section A.6, related to non-stormwater discharges, this general permit does not authorize the discharge of wastewater resulting from washing vehicles, equipment, or other surfaces, including tank cleaning operations. These discharges must be authorized under a separate TPDES permit, discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements, recycled on-site, or disposed by an alternate authorized means. The permittee shall keep records of the disposal authorization for this wash water (e.g., individual TPDES permit, discharge to publically-owned treatment works, or contract with hauling company).

(b) Storage of Crude Oil. Discharges of stormwater from Petroleum Bulk Stations and Terminals (SIC 5171) with aboveground storage of crude oil only, are under the regulatory authority of the Railroad Commission of Texas (RRC), and are not eligible for coverage under this general permit.

Stormwater discharges from SIC 5171 facilities with aboveground storage of both crude oil and refined products that are intended for offsite use are under the jurisdiction of the TCEQ. These facilities must obtain authorization to discharge stormwater under this general permit.

This general permit does not authorize discharges of stormwater from Petroleum Bulk Stations and Terminals where crude oil is stored prior to refining and where refined products are stored solely for use at the facility. These types of facilities are under the regulatory authority of the RRC. Authorization for these discharges must be obtained through application for a NPDES permit with the EPA and authorization from the RRC, if applicable.

If circumstances arise where a portion of a site is regulated by the TCEQ, and a portion of a site is regulated by the EPA and RRC, authorization for stormwater discharges must be obtained from the TCEQ for the TCEQ-regulated portions, and from the EPA and RRC for the RRC-regulated portions of the site, including developing separate SWP3s.

4. Additional SWP3 Requirements

(a) Good Housekeeping Measures. In addition to the good housekeeping SWP3 requirements in Part III, Section A.4 of this general permit, the permittee must implement the following control measures, and must document in the SWP3 the measures being used for each measure:

(1) Vehicle and Equipment Storage Areas. Minimize the potential for stormwater exposure to leaky or leak-prone vehicles or equipment that are awaiting maintenance.
(2) Fueling Areas. Minimize contamination of stormwater from fueling areas.

(3) Material Storage Areas. Maintain all material containers (e.g., for used oil/oil filters, spent solvents, paint wastes, hydraulic fluids) to prevent contamination of stormwater and plainly label them (e.g., “Used Oil,” “Spent Solvents”)

(4) Vehicle and Equipment Maintenance and Cleaning Areas. Minimize contamination of stormwater runoff from all areas used for vehicle and equipment maintenance or cleaning.

(5) Locomotive Sanding (Loading Sand for Traction) Areas.

(b) Employee Training. The permittee shall include the following information, as applicable, in its employee training: used oil and spent solvent management; fueling procedures; general good housekeeping practices; proper painting procedures; and used battery management.

(c) Drainage Area Site Map. The site map must identify the following areas of the facility and indicate whether activities occurring there may be exposed to stormwater: fueling stations; vehicle/equipment maintenance or cleaning areas; storage areas for vehicle/equipment with actual or potential fluid leaks; loading/unloading areas; areas where treatment, storage or disposal of wastes occur; liquid storage tanks; processing areas; and storage areas.

(d) Potential Pollutant Sources. The SWP3 must assess the potential for the following activities and facility areas to contribute pollutants to stormwater discharges: onsite waste storage or disposal; dirt/gravel parking areas for vehicles awaiting maintenance; illicit plumbing connections between shop floor drains and the stormwater conveyance system(s); and fueling areas.

(e) Spill Prevention and Response Measures. Vehicles and equipment that are scheduled for maintenance and that have potential fluid leaks must be confined to a designated area. The Spill Prevention and Response Measures section of the SWP3 [see Part III, Section A.4.(e)] shall define specific measures to prevent spills and to confine spills within this area. This section of the SWP3 shall also define specific measures to prevent or minimize contamination of stormwater from fueling areas.

(f) Additional Inspection Requirements. Inspection procedures must be developed according to the standard periodic inspection requirements described in Part III, Section B.) of this general permit and conducted at least once per quarter in the following areas:

1. storage areas for vehicles and equipment awaiting maintenance;
2. fueling areas;
3. vehicle and equipment maintenance areas;
4. material storage areas;
5. vehicle/equipment cleaning areas; and
6. loading/unloading areas.
Section Q. Sector Q of Industrial Activity - Water Transportation Facilities

1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector Q. Sector Q industrial activities are described by the following SIC codes:

**SECTOR Q: WATER TRANSPORTATION**

<table>
<thead>
<tr>
<th>SIC Codes</th>
<th>Description of Industry Sub-sector</th>
</tr>
</thead>
<tbody>
<tr>
<td>4412 – 4499</td>
<td>Water Transportation</td>
</tr>
</tbody>
</table>

(For detailed information about each SIC code, see Part II, Section A.1.b)

2. Covered Stormwater Discharges

(a) Permit coverage is only required for stormwater discharges from areas where the following activities are performed at facilities described by the SIC codes listed above: vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication) or equipment cleaning, except for retail fueling as described in paragraph 3(b) below. Coverage for stormwater runoff from additional areas of Sector Q facilities may be obtained as described in Part V, Section Q.2.(b) below.

(b) Runoff from materials storage or handling areas.

(1) The permittee may obtain authorization to discharge stormwater under this general permit from additional areas of Sector Q facilities where materials, intermediates, or products are stored or handled, and where the discharge from these areas would otherwise require authorization under a TPDES individual permit or alternative general permit. This permit does not authorize the discharge of any process wastewater from material storage or handling areas, including contaminated stormwater.

(2) In order to obtain coverage for any materials storage or handling areas, the permittee shall ensure that the SWP3 addresses these areas and that the SWP3 contains the following additional elements, in addition to those required in Part III of this general permit:

   a. a list of the pollutants that may be present in the material and exposed to precipitation or runoff;

   b. an indication on the site map of all material storage and handling areas that are being included under the MSGP authorization; and

   c. description and implementation of BMPs that specifically address the material that is exposed to rainfall or runoff.

(3) This section does not expand the definition of stormwater associated with industrial activity. If runoff from the materials storage and handling areas are not subject to TPDES wastewater permitting, then the SWP3 is not required to address these areas.
3. **Limitations on Coverage**

(a) This permit does not authorize the discharge of process wastewater discharges associated with a dry dock activity, bilge and ballast water, sanitary wastewater, pressure wash water, and cooling water originating from vessels.

(b) The retail sale of fuel performed at a marina without slip rental, boat storage, and other services such as cleaning and incidental repair is classified as SIC code 5541 (which includes “marine service stations – retail”). If retail fueling is the primary activity performed at the site, then permit coverage is not required. However, if a marina (SIC 4493) has a secondary SIC code of 5541, then coverage would be required for any areas of the marina where vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication) or equipment cleaning operations occur, other than the retail fueling operation described by SIC 5541.

4. **Allowable Non-Stormwater Discharges**

Boat Rinse Water. In addition to the non-stormwater discharges allowed under Part II of this general permit, boat rinse water may be discharged from water transportation facilities such as marinas, where the boat rinse water does not contain chemicals, surfactants, or elevated temperatures. Discharge from pressure washing of boats is not authorized under this general permit.

5. **Additional SWP3 Requirements.**

The following additional requirements must be included in the SWP3, for any areas covered under this section of the general permit.

(a) Site Map. The site map must clearly show the locations of the following activities if the activities are exposed to precipitation or runoff: fueling; engine maintenance and repair; vessel maintenance and repair; pressure washing; painting; sanding; blasting; welding; metal fabrication; loading and unloading areas; locations used for the treatment, storage or disposal of wastes; liquid storage tanks; liquid storage areas (e.g., paint, solvents, resins); and material storage areas (e.g., blasting media, aluminum, steel, and scrap iron).

(b) Summary of Potential Pollutant Sources. The SWP3 must list the following additional sources and activities: outdoor manufacturing or processing activities (e.g., welding, metal fabricating) and significant dust or particulate generating processes (e.g., abrasive blasting, sanding, and painting.).

(c) Good Housekeeping Measures. The permittee must implement the following in addition to the good housekeeping measures described in Part III, Section A.4. of this general permit:

1. Blasting and Painting Area. Minimize the potential for spent abrasives, paint chips, and overspray to discharge into receiving waters or the storm sewer systems. When necessary, regularly clean stormwater conveyances of deposits of abrasive blasting debris and paint chips.

2. Material Storage and Handling Areas. Minimize stormwater contamination from material storage and handling operations and areas. Store and plainly label all containerized materials (e.g., fuels, paints, solvents, waste oil, antifreeze, batteries) in a protected, secure location away from drains. If abrasive blasting is performed, discuss the storage and disposal of spent abrasive materials generated at the facility.
(3) Engine Maintenance and Repair Areas. Minimize the potential for contamination of stormwater from all areas used for engine maintenance and repair.

(4) Drydock Activities. Routinely maintain and clean the drydock to minimize pollutants in stormwater runoff. Address the cleaning of accessible areas of the drydock prior to flooding, and final cleanup following removal of the vessel and raising the dock. Include procedures for cleaning up oil, grease, and fuel spills occurring on the drydock.

(d) Employee Training. The permittee shall include the following information, as applicable, in the employee training program: management of used oil and spent solvent, disposal of spent abrasives, disposal of vessel wastewaters, spill prevention and control, fueling procedures, general good housekeeping practices, painting and blasting procedures, and used battery management.

(e) Preventive Maintenance. As part of the preventive maintenance program, the permittee shall perform timely inspection and maintenance of stormwater management devices (e.g., cleaning oil and water separators and sediment traps to ensure that spent abrasives, paint chips, and solids will be intercepted and retained prior to entering the storm drainage system), and shall inspect and test facility equipment and systems to uncover conditions that could cause breakdowns or failures resulting in the discharge of pollutants in stormwater.

(f) Additional Inspection Requirements. Inspection procedures must be developed according to the standard periodic inspection requirements described in Part III, Section B. of this general permit and conducted at least once per month in the following areas:

1. pressure wash areas;
2. abrasive blasting, sanding and painting areas;
3. material storage or handling areas;
4. engine maintenance or repair areas;
5. drydock areas; and
6. the general yard area.

6. Benchmark Monitoring Requirements

The following subsections must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values.

Benchmark sampling is only required for areas of Sector Q facilities where vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication) or equipment cleaning activities are performed.
Table 27. Benchmark Monitoring Requirements for Subsections in Sector Q

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description of Industrial Activity</th>
<th>Benchmark Parameter</th>
<th>Benchmark Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>4412 - 4499</td>
<td>Water Transportation</td>
<td>Aluminum, total</td>
<td>1.2 mg/L</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Iron, total</td>
<td>1.3 mg/L</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lead, total</td>
<td>0.010 mg/L</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Zinc, total</td>
<td>0.16 mg/L</td>
</tr>
<tr>
<td></td>
<td></td>
<td>TSS</td>
<td>50 mg/L</td>
</tr>
</tbody>
</table>

Section R. Sector R of Industrial Activity - Ship and Boat Building or Repair Yards

1. Description of Industrial Activity

The requirements of this section apply to stormwater discharges from activities identified and described as Sector R. Sector R industrial activities are described by the following SIC codes:

SECTOR R: SHIP AND BOAT BUILDING OR REPAIRING YARDS

<table>
<thead>
<tr>
<th>SIC Codes</th>
<th>Description of Industry Sub-sector</th>
</tr>
</thead>
<tbody>
<tr>
<td>3731, 3732</td>
<td>Ship and Boat Building or Repairing Yards</td>
</tr>
</tbody>
</table>

(For detailed information about each SIC code, see Part II, Section A.1.b)

2. Limitations on Coverage

This permit does not authorize the discharge of process wastewater associated with a dry dock activity, bilge and ballast water, sanitary wastes, pressure wash water, or cooling water originating from vessels.

3. Allowable Non-Stormwater Discharge

No additional non-stormwater discharges are authorized other than those listed in Part II, Section A.6. of this general permit.

4. Additional SWP3 Requirements

(a) Site Map. The site map must clearly show the locations of the following activities if the activities are exposed to precipitation or runoff: fueling; engine maintenance and repair; vessel maintenance and repair; pressure washing; painting; sanding; blasting; welding; metal fabrication; loading and unloading areas; locations used for the treatment, storage or disposal of wastes; liquid storage tanks; liquid storage areas (e.g., paint, solvents, resins); and material storage areas (e.g., blasting media, aluminum, steel, and scrap iron).

(b) Summary of Potential Pollutant Sources. The SWP3 must list the following additional sources and activities: outdoor manufacturing or processing activities (e.g., welding, metal fabricating) and significant dust or particulate generating processes (e.g., abrasive blasting, sanding, and painting).

(c) Good Housekeeping Measures. The permittee must implement the following in addition to the good housekeeping measures described in Part III, Section A.4 of this general permit:
(1) Pressure Washing Area. If pressure washing is used to remove marine growth from vessels, the discharged water must be permitted as a process wastewater by a separate TPDES permit.

(2) Blasting and Painting Area. Minimize the potential for spent abrasives, paint chips, and overspray to discharge into the receiving water or the storm sewer system. When necessary, regularly clean stormwater conveyances of deposits of abrasive blasting debris and paint chips.

(3) Material Storage and Handling Areas. Minimize stormwater contamination from material storage and handling operations and areas. Store and plainly label all containerized materials (e.g., fuels, paints, solvents, waste oil, antifreeze, batteries) in a protected, secure location away from drains. If abrasive blasting is performed, discuss the storage and disposal of spent abrasive materials generated at the facility.

(4) Engine Maintenance and Repair Areas. Minimize the potential for contamination of stormwater from all areas used for engine maintenance and repair.

(5) Drydock Activities. Routinely maintain and clean the drydock to minimize pollutants in stormwater runoff. Address the cleaning of accessible areas of the drydock prior to flooding, and final cleanup following removal of the vessel and raising the dock. Include procedures for cleaning up oil, grease, and fuel spills occurring on the drydock.

(d) Employee Training. The permittee shall include the following information, as applicable, in the employee training program: management of used oil and spent solvent, disposal of spent abrasives, disposal of vessel wastewaters, spill prevention and control, fueling procedures, general good housekeeping practices, painting and blasting procedures, and used battery management.

(e) Preventive Maintenance. As part of the preventive maintenance program, the permittee shall perform timely inspection and maintenance of stormwater management devices (e.g., cleaning oil and water separators and sediment traps to ensure that spent abrasives, paint chips, and solids will be intercepted and retained prior to entering the storm drainage system), and shall inspect and test facility equipment and systems to uncover conditions that could cause breakdowns or failures resulting in the discharge of pollutants in stormwater.

(f) Additional Inspection Requirements. Inspection procedures must be developed according to the standard periodic inspection requirements described in Part III, Section B. of this general permit and conducted at least once per month in the following areas:

(1) pressure wash areas;
(2) abrasive blasting, sanding and painting areas;
(3) material storage or handling areas;
(4) engine maintenance or repair areas;
(5) drydock areas; and
(6) the general yard area.
Section S.  Sector S of Industrial Activity - Air Transportation Facilities

1.  Description of Industrial Activity

The requirements of this general permit apply to stormwater discharges from activities identified and described as Sector S. Sector S industrial activities are described by the following SIC codes:

<table>
<thead>
<tr>
<th>SIC Codes</th>
<th>Description of Industry Sub-sector</th>
</tr>
</thead>
<tbody>
<tr>
<td>4512</td>
<td>Air Transportation, Scheduled</td>
</tr>
<tr>
<td>4513</td>
<td>Air Courier Services</td>
</tr>
<tr>
<td>4522</td>
<td>Air Transportation, Nonscheduled</td>
</tr>
<tr>
<td>4581</td>
<td>Airports, Flying Fields, and Airport Terminal Services, including aircraft maintenance and fueling</td>
</tr>
</tbody>
</table>

(For detailed information about each SIC code, see Part II, Section A.1.b)

2.  Covered Stormwater Discharges

(a) Permit coverage is only required for stormwater discharges from areas where the following activities are performed at facilities described by the SIC codes listed above: vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication), equipment cleaning operations, or deicing operations. Coverage for stormwater runoff from additional areas of Sector S facilities may be obtained as described in Part V, Section S.2.(b) below.

(b) Runoff from materials storage or handling areas.

   (1) The permittee may obtain authorization to discharge stormwater under this general permit from additional areas of Sector S facilities where materials, intermediates, or products are stored or handled, and where the discharge from these areas would otherwise require authorization under a TPDES individual permit or alternative general permit. This permit does not authorize the discharge of any process wastewater from material storage or handling areas, including contaminated stormwater.

   (2) In order to obtain coverage for any materials storage or handling areas, the permittee shall ensure that the SWP3 addresses these areas and that the SWP3 contains the following additional elements, in addition to those required in Part III of this general permit:

      a. a list of the pollutants that may be present in the material and exposed to precipitation or runoff;

      b. an indication on the site map of all material storage and handling areas that are being included under the MSGP authorization; and

      c. description and implementation of BMPs that specifically address the material that is exposed to rainfall or runoff.

(3) This section does not expand the definition of stormwater associated with industrial activity. If runoff from the materials storage and handling areas are not
subject to TPDES wastewater permitting, then the SWP3 is not required to address these areas.

3. Definitions

The following definitions apply only to Sector S of this general permit:

**Aircraft Deicing Fluid. (ADF)** A fluid (other than hot water) applied to aircraft to remove or prevent any accumulation of snow or ice on the aircraft. This includes deicing and anti-icing fluids.

**Centralized Deicing Pad.** A facility on an airfield designed for aircraft deicing operations, typically constructed with a drainage system separate from the airport main storm drain system.

**Deicing.** Procedures and practices to remove or prevent any accumulation of snow or ice on an aircraft or airfield pavement.

**Heating Degree Day.** The number of degrees per day the daily average temperature is below 65 degrees Fahrenheit. The daily average temperature is the mean of the maximum and minimum temperature for a 24-hour period. The annual heating degree day value is derived by summing the daily heating degree days over a calendar year period.

**Primary Airport.** An airport defined at 49 U.S.C. 47102 (15).

4. Limitations on Permit Coverage

(a) This permit only authorizes stormwater discharges from those portions of a Sector S facility that are involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication), equipment cleaning operations, or deicing operations.

(b) Prohibition of Non-Stormwater Discharges. This general permit does not authorize the discharge of wastewater associated with washing aircraft, ground vehicles, runways, or equipment; or the dry weather discharge of deicing chemicals. If these discharges occur, they must be authorized under an alternative TPDES or permit or disposed by another authorized means, and the disposal mechanism described in the SWP3.

(c) A discharge resulting from snowmelt is not a dry weather discharge.

5. Additional SWP3 Requirements

(a) Site Map. The site map must include the following information:

1. aircraft and runway deicing operations;
2. fueling stations;
3. aircraft, ground vehicle and equipment maintenance/cleaning areas;
4. storage areas for aircraft, ground vehicles and equipment awaiting maintenance; and
5. the location of each tenant at the site that conducts industrial activity subject to coverage under this section of this general permit.

(b) Potential Pollutant Sources.

1. The SWP3 must list the following additional sources and activities: maintenance and cleaning of aircraft, runways, ground vehicles, and equipment; and deicing of
aircraft and runways (including apron and centralized aircraft deicing stations, runways, taxiways and ramps).

(2) The SWP3 must include a record of the types and monthly quantities of deicing chemicals that the permittee uses (including the Material Safety Data Sheets MSDS) used and the monthly quantities. This requirement applies for all deicing chemicals, in addition to glycols and urea (e.g., potassium acetate). If the airport authority, tenants, and other Fixed-Based Operators (FBOs) share an SWP3, then the tenants and FBOs that conduct deicing operations must provide the above information to the airport authority.

(c) Good Housekeeping Measures. This section of the SWP3 must describe specific measures where determined to be practicable and that accommodate considerations of safety, space, operational constraints, and flight considerations (list not exclusive), to prevent or minimize contamination of stormwater from areas used for the maintenance, fueling, or cleaning of equipment, aircraft, and other vehicles, and for areas where aircraft deicing and anti-icing activities occur. The following requirements must be addressed in the SWP3 and are in addition to the requirements of Part III, Sections A.4. and A.5. of this general permit:

(1) Aircraft, Ground Vehicle and Equipment Maintenance Areas. Minimize the potential for stormwater contamination from areas used for the maintenance of aircraft, ground vehicles, and equipment (including the maintenance conducted on the terminal apron and in dedicated hangers).

(2) Aircraft, Ground Vehicle and Equipment Cleaning Areas. Clearly demarcate aircraft, ground vehicle and equipment cleaning areas on the ground using signage or other appropriate means. Minimize the potential for contamination of stormwater runoff from these areas.

(3) Aircraft, Ground Vehicle and Equipment Storage Areas. Store all aircraft, ground vehicles and equipment awaiting maintenance in designated areas only. Minimize the potential for contamination of stormwater runoff from these storage areas.

(4) Material Storage Areas. Minimize the potential for stormwater contamination from materials storage areas. Maintain in good condition and plainly label any containers of stored materials (e.g., used oils, hydraulic fluids, spent solvents, and waste aircraft fuel).

(5) Source Reduction. Minimize, and where feasible eliminate, the use of urea and glycol-based deicing chemicals, in order to reduce the aggregate amount of deicing chemicals used or lessen the environmental impact.

(6) Runway Deicing Operation. Minimize the potential for stormwater contamination from runways as a result of deicing operations by evaluating and adjusting as necessary the application rates of deicing materials, consistent with considerations of flight safety.

(7) Aircraft Deicing Operations. The permittee shall evaluate the application rates for deicing chemicals, and adjust as necessary, consistent with considerations of flight safety, to help minimize contamination of stormwater runoff from aircraft deicing operations.

(8) Deicing Season. Identify the de-icing season by determining the seasonal timeframe (e.g., December - February, October - March) during which deicing activities typically occur at the facility. Implementation of control measures, including any BMPs, facility inspections and monitoring must be conducted with
particularly emphasis throughout the defined deicing season. If the deicing chemical usage thresholds of 100,000 gallons glycol or 100 tons of urea are met, the identified deicing season is the timeframe during which the required benchmark monitoring must be conducted. (See the benchmark monitoring requirements for this sector, below.)

(d) Structural Controls. Operators that conduct deicing or anti-icing activities shall select controls, where determined to be practicable and that accommodate considerations of safety, space, operational constraints, and flight considerations (list not exclusive), to capture and contain chemicals used in this activity. Containing activities to specific areas where runoff may be captured and either treated, hauled away for disposal or disposed of to the sanitary sewer must be considered, where determined to be practicable and that accommodate considerations of safety, space, operational constraints, and flight considerations (list not exclusive). A narrative description of these considerations, including a rationale for why certain alternatives were either chosen or rejected, must be incorporated as an element of the SWP3.

(e) Shared SWP3s. Airport authorities and airport tenants are encouraged to work in partnership to develop and implement a SWP3. Tenants of the airport facility include air passenger or cargo companies, fixed based operators, and other parties who have contracts with the airport authority to conduct business operations on airport property and whose operations result in stormwater discharges associated with industrial activity. Even with a shared SWP3, each entity at an airport that meets the applicability requirements of this permit is required to obtain permit coverage.

(f) Best Management Practices. Facilities that conduct deicing or anti-icing operations must evaluate operating procedures on an annual basis to consider alternative practices, where determined to be practicable and that accommodate considerations of safety, space, operational constraints, and flight considerations (list not exclusive), that may reduce the overall amount of chemical used, or otherwise lessen the environmental impact of the pollutant. This annual review must include a consideration of alternative chemicals for this use. The SWP3 must include a narrative discussion of the annual alternative practices review that includes the rationale for changes in practices or the decision to retain existing practices. BMPs must be developed and implemented to ensure against over application of chemicals used as a part of deicing and anti-icing operations.

(g) Additional Inspection Requirements.

1. Routine Facility Inspections. Inspection procedures must be developed according to the standard periodic inspection requirements described in Part III, Section B.2. of this general permit and conducted at least once per week during deicing or anti-icing activities in the areas where these operations take place, if accessible. Records of weekly inspections, when they occur, must be maintained.

2. Comprehensive Site Inspections. Conduct the annual site inspection using only qualified personnel, during periods of actual deicing operations, if possible. If not practicable during active deicing because of weather, conduct the inspection during the season when deicing operations occur and the materials and equipment for deicing are in place.
6. **Numeric Effluent Limitations – Applicable to Sector S Facilities Discharging Stormwater from Airport Deicing Activities**

The following numeric effluent limitations, based upon guidelines from Airport Deicing Point Source Category, 40 CFR Part 449, applies to any stormwater runoff from airport and airfield deicing activities at primary airports. The limitations must be met at the location where the effluent leaves the onsite treatment system utilized for meeting these requirements and before commingling with any non-deicing discharges.

(a) For new and existing primary airports with 1,000 or more jet departures per year, the following requirements apply:

1) Airfield Pavement Deicing. The discharge from airfield pavement deicers containing urea is not allowed. This requirement must be met by either:

   a. Certifying annually that the airfield deicing products do not contain urea; or

   b. Each discharge point must be monitored and meet the following numeric effluent limitations:

<table>
<thead>
<tr>
<th>Wastestream</th>
<th>Parameter</th>
<th>Daily Maximum*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Airfield Pavement Deicing</td>
<td>Ammonia- Nitrogen</td>
<td>14.7 mg/L</td>
</tr>
</tbody>
</table>

   *Sample Frequency: Once per day during deicing activities

2) Aircraft Deicing.

   a. Existing Airports: There are no requirements for existing airports regardless of number of jet (non-propeller aircraft) departures per year.

   b. New Airports with less than 1,000 jet (non-propeller aircraft) departures per year: There are no requirements.

   c. New primary airports with 1,000 and more jet (non-propeller aircraft) departures per year, 10,000 or more departures annually, and 3,000 or more heating degree days (annual), have the following requirements:

      (a) At least 60% of available aircraft deicing fluid (ADF) must be collected; and

      (b) The discharge must meet the numeric effluent limitations below. The effluent limitation must be met at the location where the effluent leaves the onsite treatment system utilized for meeting these requirements and before commingling with any non-deicing discharges.

<table>
<thead>
<tr>
<th>Wastestream</th>
<th>Parameter</th>
<th>Daily Maximum*</th>
<th>Weekly Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aircraft Deicing</td>
<td>COD</td>
<td>271 mg/L</td>
<td>154 mg/l</td>
</tr>
</tbody>
</table>

   *Sampling: Once per day during deicing activities

   *Sample Type: See 40 CFR Part 449, Appendix A Sampling Protocol For SolubleCOD
(b) General Requirements for the Implementation of Numeric Effluent Limitations Established in Section S. (6)(a) above.

The permittee shall demonstrate compliance with the ADF collection, reporting, and record keeping requirements described in Part V. Section S.6.(a) above.

1) The permittee shall maintain records to demonstrate, and certify annually, that it is operating and maintaining one or more centralized deicing pads. This technology shall be operated and maintained according to the technical specifications as follows:

   (a) Each centralized deicing pad shall be sized and sited in accordance with all applicable Federal Aviation Administration (FAA) advisory circulars.

   (b) Drainage valves associated with the centralized deicing pad shall be activated before deicing activities commence, to collect available ADF.

   (c) The centralized deicing pad and associated collection equipment shall be installed and maintained per any applicable manufacturers’ instructions, and shall be inspected, at a minimum, at the beginning of each deicing season to ensure that the pad and associated equipment are in working condition.

   (d) All aircraft deicing shall take place on a centralized deicing pad, with the exception of defrosting and deicing for safe taxiing.

2) Alternative technology or specifications. This general permit may allow one of the following alternative procedures for demonstrating compliance with its collection requirement, instead of the procedure mentioned above in Part V. Section S.6.(b)(1)(a-d) of the section above.

   (a) Using a different ADF collection technology from the centralized deicing pad technology specified in Part V. Section S.6.(b)(1)(a-d) of this section; or

   (b) Using the same ADF collection technology, but with different specifications for operation and/or maintenance.

3) The permittee shall collect and maintain on site during the term of the permit, up to five years of records of the annual volume of ADF used.

(c) Monitoring and Sampling

   Monitoring and sampling for COD and Ammonia shall be conducted at a location where the effluent leaves the on-site treatment system and prior to commingling with non-deicing wastestreams.

(d) Recordkeeping

   The permittee shall maintain onsite records for five years of the following documentation:

   a. Wastewater samples collected and analyzed;

   b. Certifications;

   c. Equipment maintenance schedules and agreement; and

   d. If using volumes of ADF applied/collection, records of these amounts.

(e) Reporting Requirements. Monitoring for compliance with numeric effluent limitations in this section is subject to the following requirements:
1) Results of monitoring must be recorded on a discharge monitoring report (DMR). The DMR must either be an original EPA No. 3320-1 form, a duplicate of the form, or as otherwise provided by the executive director.

2) Monitoring must be conducted prior to December 31st for each annual monitoring period and the DMR must be submitted to the TCEQ by March 31st of the following year, as described in Part III, Section E.6. of this permit.

3) In addition, a copy of the DMR must either be retained at the facility or must be made readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction by March 31st following the annual monitoring period.

(f) Additional SWP3 Requirements.

The following SWP3 requirements must be conducted in addition to those listed in Part V. S.5. Permittees shall document and describe the following:

   a. Number of jet departures and deicing operations at the airport.
   b. Type of deicing chemicals used and keep deicing activity log.
   c. Method of ADF collection
   d. Compliance with 60% ADF collection requirements, as applicable.
   e. Monitoring and frequencies of sampling.

7. Benchmark Monitoring Requirements

   (a) Benchmark monitoring is only required for permittees conducting deicing activities that have used more than 100 tons of urea, or more than 100,000 gallons of glycol-based chemicals on an average annual basis. These volumes of deicing materials refer to the combined activities and usage at the airport as a whole, and not independently to each carrier or operator.

   (1) Benchmark monitoring is required of all permittees who used urea or glycol-based deicing chemicals at an airport where the total amount used at the airport meets the criteria listed in this section. Benchmark sampling is not required of a permittee who does not use the listed chemicals, even if the airport did meet the volume criteria that trigger benchmark monitoring.

   (2) Benchmark sampling is required at all outfalls that discharge runoff from areas where deicing with urea or glycol-based deicing chemicals is performed at an airport where the total amount used at the airport as a whole meets the criteria listed above.

   (3) For those permittees required to conduct benchmark monitoring, the total number of benchmark samples required for the year must be collected during the deicing season when deicing activities are occurring.

   (b) The following subsector must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:
Table 31. Benchmark Monitoring Requirements for Subsections in Sector S

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description of Industrial Activity</th>
<th>Benchmark Parameter</th>
<th>Benchmark Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>4512 - 4581</td>
<td>Airport Transportation Facilities with Deicing Activities*</td>
<td>COD, Ammonia-Nitrogen, pH</td>
<td>60 mg/L, 1.7 mg/L, 6.0-9.0 S.U.</td>
</tr>
</tbody>
</table>

*For airports where a single permittee, or a combination of permitted facilities use more than 100,000 gallons of pure glycol in glycol-based deicing fluids and / or 100 tons or more of urea on an average annual basis.

Section T. Sector T of Industrial Activity - Treatment Works

1. Description of Industrial Activity

The requirements of this general permit apply to stormwater discharges from activities identified and described as Sector T. Sector T industrial activities are described by the following Industrial Activity Code:

SECTOR T: TREATMENT WORKS

Activity Codes and Description of Industry Sub-sector

TW Certain Wastewater Treatment Plants

(For detailed information about each SIC code, see Part II, Section A.1.b)

2. Covered Stormwater Discharges

The requirements of this general permit apply to stormwater discharges from domestic wastewater treatment plants with a design flow of 1.0 million gallons per day or more that treat, store, recycle, or reclaim domestic sewage, wastewater or sewage sludge (including dedicated lands for sewage sludge disposal located within the onsite property boundaries); or that are required to have an approved pretreatment program (under 40 CFR Part 403).

3. Limitations on Permit Coverage

(a) Prohibition of Wastewater Discharges. The discharge of sanitary wastewater, industrial wastewater, equipment and vehicle wash water, or other wastewater is not authorized by this permit.

(b) Discharge to Wastewater Plant Headworks. Facilities that route all stormwater runoff to the wastewater treatment facility headworks in accordance with an individual TPDES permit are not required to obtain additional coverage through this general permit.

4. Additional SWP3 Requirements

The following SWP3 requirements must be conducted in addition to those listed in Part III of this general permit:

(a) Employee Training. At a minimum, training must address the following areas when applicable to a facility: petroleum product management; process chemical management; spill prevention and controls; fueling procedures; general good housekeeping practices; and proper procedures for using fertilizer, herbicides, and
(b) pesticides. These requirements are in addition to the training requirements listed in Part III, Section A.4.(f) of this permit.

(c) Site Map. The permittee shall document in the SWP3 where any of the following may be exposed to precipitation or surface runoff: grit, screenings, and other solids handling, storage, or disposal areas; sludge drying beds; dried sludge piles; compost piles; septage or hauled waste receiving station; and storage areas for process chemicals, petroleum products, solvents, fertilizers, herbicides, and pesticides.

(d) Potential Pollutant Sources. The permittee shall document in the SWP3 the following additional sources and activities that have potential pollutants associated with them, if present at the site: grit, screenings, and other solids handling, storage, or disposal areas; sludge drying beds; dried sludge piles; compost piles; septage or hauled waste receiving station; and access roads and rail lines.

(e) Wastewater and Wash Water Requirements. The permittee shall either retain a copy, or reference the location where a copy is located, of all current TPDES permits issued for wastewater and industrial, vehicle and equipment wash water discharges for the facility in the SWP3. If a TPDES permit has not yet been issued, a copy of the pending application(s) must also be kept or referenced in the SWP3. If the wastewater or wash water is handled in another manner, then the SWP3 must describe the disposal method and all pertinent documentation must be retained onsite.

(f) Additional Inspection Requirements. In addition to the information that must be included in the inspections required in Part III of this permit, the following areas must be inspected as well: access roads and rail lines; grit, screenings, and other solids handling, storage, or disposal areas; sludge drying beds; dried sludge piles; compost piles; and septage or hauled waste receiving station.

5. **Benchmark Monitoring Requirements**

The following subsections must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

<table>
<thead>
<tr>
<th>Activity Code</th>
<th>Description of Industrial Activity</th>
<th>Benchmark Parameter</th>
<th>Benchmark Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>TW</td>
<td>Certain Wastewater Treatment Plants</td>
<td>BOD5</td>
<td>20 mg/L</td>
</tr>
</tbody>
</table>

Section U. **Sector U of Industrial Activity - Food and Kindred Products Facilities**

1. **Description of Industrial Activity**

The requirements under this section apply to stormwater discharges from activities identified and described as Sector U. Sector U industrial activities are described by the following SIC codes:

**SECTOR U: FOOD AND KINDRED PRODUCTS FACILITIES**

<table>
<thead>
<tr>
<th>SIC Codes</th>
<th>Description of Industry Sub-sector</th>
</tr>
</thead>
</table>
2011 – 2015 Meat Products
2021 – 2026 Dairy Products
2032 - 2038 Canned, Frozen and Preserved Fruits, Vegetables and Food Specialties
2041 - 2048 Grain Mill Products
2051 - 2053 Bakery Products
2061 - 2068 Sugar and Confectionery Products
2074 - 2079 Fats and Oils
2082 - 2087 Beverages
2091 - 2099 Miscellaneous Food Preparations and Kindred Products
2111 - 2141 Tobacco Products

(For detailed information about each SIC code, see Part II, Section A.1.b)

2. Limitations on Coverage

Prohibition of Wastewater Discharges. The following discharges are not authorized by this permit: boiler blowdown, cooling tower overflow and blowdown, ammonia refrigeration purging, and vehicle washing and clean-out operations.

3. Additional SWP3 Requirements

Employee Training Program and Employee Education. The program must include training in pest control application procedures and chemical storage procedures.

Inventory of Exposed Materials. The inventory must include a list of the pesticides, rodenticides, herbicides, and fungicides applied or stored on the facility property.

Narrative Description. A narrative description of all activities and potential sources of pollutants that may reasonably be expected to add significant amounts of pollutants to stormwater discharges from pest control and chemical storage procedures must be included.

Site Map. The site map must clearly show the location of vent stacks for cooking, drying, and similar operations, dry product vacuum transfer lines; animal holding pens; spoiled product and broken product container storage areas; and any other processing or storage areas exposed to stormwater.

Best Management Practices. This section of the SWP3 must include BMPs for cleaning procedures for vent hoods, storage and baking racks, bins and refuse containers, and other similar cleaning activities, to ensure that cleaning these items does not contribute pollutants to stormwater runoff.

4. Benchmark Monitoring Requirements

The following subsections must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:
Table 33. Benchmark Monitoring Requirements in Subsections in Sector U

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description of Industrial Activity</th>
<th>Benchmark Parameter</th>
<th>Benchmark Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>2041-2048</td>
<td>Grain Mill Products</td>
<td>TSS</td>
<td>50 mg/L</td>
</tr>
<tr>
<td>2074-2079</td>
<td>Fats and Oils</td>
<td>COD, Nitrate + Nitrite N, TSS</td>
<td>60 mg/L, 0.68 mg/L, 100 mg/L</td>
</tr>
</tbody>
</table>

Section V. Sector V of Industrial Activity - Textile Mills, Apparel, and Other Fabric Product Manufacturing Facilities

1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector V. Sector V industrial activities are described by the following SIC codes:

SECTOR V: TEXTILE MILLS, APPAREL, AND OTHER FABRIC PRODUCT MANUFACTURING FACILITIES

<table>
<thead>
<tr>
<th>SIC Codes</th>
<th>Description of the Industrial Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>2211 – 2299</td>
<td>Textile Mill Products</td>
</tr>
<tr>
<td>2311 – 2399</td>
<td>Apparel and Other Finished Products Made From Fabrics and Similar Materials</td>
</tr>
<tr>
<td>3131 – 3199</td>
<td>Leather and Leather Products, except Leather Tanning and Finishing (See Sector Z)</td>
</tr>
</tbody>
</table>

(For detailed information about each SIC code, see Part II, Section A.1.b)

2. Limitations on Coverage

Prohibition of Wastewater Discharges. The following discharges are not allowed under this general permit: wastewater resulting from wet processing or from any processes relating to the production; reused or recycled water; and waters used in cooling towers. These types of discharges must be authorized under a separate TPDES permit or other authorized means.

3. Additional SWP3 Requirements

(a) The permittee shall minimize the discharge of pollutants from the following areas:

(1) Material handling areas. The permittee shall plainly label and store all containerized materials (e.g., fuels, petroleum products, solvents, and dyes) in a protected area and away from drains, and shall minimize the potential for stormwater to contact such storage areas. When storing empty chemical drums or containers, the permittee shall ensure that the drums and containers are clean and that there is no contact of residuals with precipitation or runoff, and shall properly collect and dispose of wash water from drum and container cleanings.

(2) Material storage areas

(3) Fueling areas.

(4) Above-Ground Storage Tank areas, including the associated piping and valves.
(b) **Employee Training.** Employee training must include the following activities, as applicable:

1. use of reused and recycled waters;
2. solvents management, proper disposal of dyes;
3. spill prevention and control;
4. fueling procedures; and
5. management and proper disposal of any solvents, petroleum products, spent lubricants, dyes, and other chemicals used at the facility.

(c) **Narrative Description.** The SWP3 must include a narrative description of all activities and potential sources of pollutants that may reasonably be expected to add significant amounts of pollutants to stormwater discharges from industry specific activities in the SWP3 and including the following: backwinding; beaming; bleaching; backing; bonding carbonizing; carding; cut and sew operations; desizing; drawing; dyeing; flocking; fulling; knitting; mercerizing; opening; packing; plying; scouring; slashing; spinning; synthetic-felt processing; textile waste processing; tufting; turning; weaving; web forming; winging; yarn spinning; and yarn texturing.

(d) **Spill Prevention and Response Measures.** The SWP3 must include measures to inspect, evaluate, and replace connections, valves, transfer lines and pipes that carry chemicals, dyes, or waste. All chemicals must be stored in a protected area, away from drains, and clearly labeled.

(e) The SWP3 must include specific measures to prevent or minimize contamination of stormwater runoff from above ground storage tank areas.

(f) **Routine Facility Inspections.** Inspection procedures must be developed according to the standard periodic inspection requirements described in Part III, Section B.2. of this general permit, but must be conducted at least once per month in material storage areas, material transfer lines and areas, spill prevention, good housekeeping practices, management of process waste products, and all structural and non-structural management practices.

**Section W. Sector W of Industrial Activity - Wood and Metal Furniture and Fixture Manufacturing Facilities**

4. **Description of Industrial Activity**

The requirements under this section apply to stormwater discharges from activities identified and described as Sector W. There are no additional requirements under this section that apply to stormwater discharges from activities identified and described as Sector W. Sector W industrial activities are described by the following SIC codes:

**SECTOR W: FURNITURE AND FIXTURES**

<table>
<thead>
<tr>
<th>SIC Codes</th>
<th>Description of Industry Sub-sector</th>
</tr>
</thead>
<tbody>
<tr>
<td>2434</td>
<td>Wood Kitchen Cabinets</td>
</tr>
<tr>
<td>2511 – 2599</td>
<td>Furniture and Fixtures</td>
</tr>
</tbody>
</table>
Section X.  Sector X of Industrial Activity - Printing and Publishing Facilities

1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector X. Sector X industrial activities are described by the following SIC codes:

SECTOR X: PRINTING AND PUBLISHING

<table>
<thead>
<tr>
<th>SIC Codes</th>
<th>Description of Industry Sub-sector</th>
</tr>
</thead>
<tbody>
<tr>
<td>2711 – 2796</td>
<td>Printing, Publishing, and Allied Industries</td>
</tr>
</tbody>
</table>

(For detailed information about each SIC code, see Part II, Section A.1.b)

2. Covered Stormwater Discharges

Facilities described by any of the SIC codes listed above, that conduct publishing or designing activities without printing, are designated for coverage under this general permit and are not required to submit an NOI for coverage nor an NEC for a no exposure exclusion. These facilities must comply with the following permit requirements and are not subject to additional requirements that are listed in this permit:

(a) The facility must maintain conditions that ensure there is no exposure of industrial activities to stormwater; and

(b) The facility operator must comply with the requirements of Part III, Section E. of this general permit, related to Standard Permit Conditions, except that the operator is not required to submit an NOI or NEC form, prepare a SWP3, or conduct analytical monitoring.

The facility operator must apply for coverage if either of the requirements listed above are not met. If the TCEQ determines that additional controls are required other than those listed above, or if there is a concern regarding the discharge of elevated levels of pollutants, then the TCEQ may require a facility described by SIC codes 2711 – 2796 and that does not have any printing activities to obtain coverage and meet all permit conditions through submittal of an NOI or an individual permit application.

3. Additional SWP3 Requirements

(a) Spill Prevention and Response Measures.

(1) The spill prevention and response measures section of the SWP3 must include measures to inspect, evaluate, and replace connections, valves, transfer lines, and pipes that carry chemicals or wastes.

(2) All chemicals (e.g. fuels, solvents, dyes, inks) must be stored in a protected area, away from drains, and clearly labeled.

(3) The SWP3 must include specific measures to prevent or minimize contamination of stormwater runoff from above ground storage tank areas and fueling areas.
Material Storage Areas. The permittee shall minimize the discharge of pollutants from storage areas for containerized materials (e.g., skids, pallets, solvents, bulk inks, hazardous waste, empty drums, portable and mobile containers of plant debris, wood crates, steel racks, and fuel oil). These materials must be plainly labeled and stored in a protected area, away from drains.

The SWP3 must include a narrative description of all activities and potential sources of pollutants that may reasonably be expected to add significant amounts of pollutants to stormwater discharges from industry specific activities, including blanket wash and solvent mixing operations in the SWP3 as well as the containment area(s) or enclosures for materials that are stored outdoors.

Material Handling Area. Minimize contamination of stormwater runoff from material handling operations and areas (e.g., blanket wash, mixing solvents, loading and unloading materials). Consider the following (or their equivalents): using spill and overflow protection, covering fueling areas, and covering or enclosing areas where the transfer of materials may occur. When applicable, address the replacement or repair of leaking connections, valves, transfer lines, and pipes that may carry chemicals or wastewater.

Employee Training. The program must include training in the management and disposal of any solvents, other petroleum products, dyes, other chemicals used at the facility, and general good housekeeping practices. These requirements are in addition to the SWP3 requirements in Part III, Section A.4 of this permit.

Section Y. Sector Y of Industrial Activity - Rubber and Miscellaneous Plastic Products, and Miscellaneous Manufacturing Facilities

1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector Y. Sector Y industrial activities are described by the following SIC codes:

**SECTOR Y: RUBBER, MISCELLANEOUS PLASTIC PRODUCTS, AND MISCELLANEOUS MANUFACTURING FACILITIES**

<table>
<thead>
<tr>
<th>SIC Codes</th>
<th>Description of Industry Sub-sector</th>
</tr>
</thead>
<tbody>
<tr>
<td>3011</td>
<td>Tires and Inner Tubes</td>
</tr>
<tr>
<td>3021</td>
<td>Rubber and Plastics Footwear</td>
</tr>
<tr>
<td>3052, 3053</td>
<td>Gaskets, Packing, and Sealing Devices and Rubber and Plastics Hose and Belting</td>
</tr>
<tr>
<td>3061, 3069</td>
<td>Fabricated Rubber Products, Not Elsewhere Classified</td>
</tr>
<tr>
<td>3081 – 3089</td>
<td>Miscellaneous Plastics Products</td>
</tr>
<tr>
<td>3931</td>
<td>Musical Instruments</td>
</tr>
<tr>
<td>3942 – 3949</td>
<td>Dolls, Toys, Games and Sporting and Athletic Goods</td>
</tr>
<tr>
<td>3951 – 3955, except 3952 (see Sector C) - Pens, Pencils, and Other Artists’ Materials (except certain inks and paints as specified in Sector C)</td>
<td></td>
</tr>
<tr>
<td>3961, 3965</td>
<td>Costume Jewelry, Costume Novelties, Buttons, and Miscellaneous Notions, Except Precious Metal</td>
</tr>
</tbody>
</table>
2. **Additional SWP3 Requirements**

(a) **Narrative Description.** The SWP3 must include a narrative description that includes a review of the use of any zinc at the facility and possible pathways where zinc could contaminate stormwater runoff.

(b) **Good Housekeeping Measures.** This section of the SWP3 must include specific measures to minimize potential exposure of pollutants to stormwater.

1. **Rubber Manufacturing:** The operator of a rubber manufacturing facility shall minimize or prevent the discharge of zinc in stormwater runoff. All rubber manufacturing facilities must include specific BMPs and controls to minimize the contamination of stormwater from the handling and storage of zinc. Potential sources of zinc must be identified and the accompanying BMPs must be evaluated and incorporated into the SWP3 and implemented at the facility (as appropriate);

   a. zinc bags must be stored indoors;

   b. the permittee shall ensure headspace in containers to minimize “puffing” losses when the containers are opened;

   c. where feasible, the permittee shall ensure that there is no exposure of waste disposal dumpsters to stormwater (e.g., store indoors or provide a cover and liner for the dumpster);

   d. repair or replace improperly operating dust collectors and baghouses, as appropriate;

   e. minimize dust generation from rubber grinding operations;

   f. reduce the possible contamination of stormwater by drips and spills of zinc stearate slurry; and

   g. identify specific measures for zinc spill cleanup so that the cleanup may be completed without washing the spill into the storm drain.

2. **Plastics Manufacturing:** The operator of a plastic products manufacturing facility shall minimize the possibility of discharging plastic resin pellets in stormwater discharges from the facility by implementing control measures (or their equivalents) that include: minimizing spills, cleaning up of spills promptly and thoroughly, sweeping thoroughly, capturing pellets, employee education and training, and using precautions for disposal.

3. **Benchmark Monitoring Requirements**

The following subsections must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:
Table 5. Benchmark Monitoring Requirements for Subsections in Sector Y

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description of Industrial Activity</th>
<th>Benchmark Parameter</th>
<th>Benchmark Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>3011</td>
<td>Tires and Inner Tubes</td>
<td>Zinc, total</td>
<td>0.16 mg/L</td>
</tr>
<tr>
<td>3021</td>
<td>Rubber and Plastics Footwear</td>
<td>Zinc, total</td>
<td>0.16 mg/L</td>
</tr>
<tr>
<td>3052, 3053</td>
<td>Gaskets, Packing, and Sealing Devices; and Rubber and Plastics Hose and Belting</td>
<td>Zinc, total</td>
<td>0.16 mg/L</td>
</tr>
<tr>
<td>3061</td>
<td>Molded, Extruded, and Lathe-Cut Mechanical Rubber Goods</td>
<td>Zinc, total</td>
<td>0.16 mg/L</td>
</tr>
<tr>
<td>3069</td>
<td>Fabricated Rubber Products, Not Elsewhere Classified</td>
<td>Zinc, total</td>
<td>0.16 mg/L</td>
</tr>
</tbody>
</table>

Section Z. Sector Z of Industrial Activity - Leather Tanning and Finishing Facilities

1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector Z. Sector Z industrial activities are described by the following SIC codes:

**SECTOR Z: LEATHER TANNING AND FINISHING**

SIC Codes Description of Industry Sub-sector
3111 Leather Tanning and Finishing

(For detailed information about each SIC code, see Part II, Section A.1.b)

2. Additional SWP3 Requirements

(a) Drainage Area Site Map. The drainage area site map must clearly show the location of the following activities, if these activities are exposed to stormwater: processing and storage areas of the beam house, tan yard and re-tan wet and dry finishing operations; haul roads; access roads; and rail spurs.

(b) Potential Pollutant Sources. Document the following sources and activities that have potential pollutants associated with them in the SWP3 (as appropriate): temporary or permanent storage of fresh and brine-cured hides; extraneous hide substances and hair; leather dust, scraps, trimmings, and shavings.
(c) Good Housekeeping Measures. The following requirements are in addition to the requirements in Part III, Section A.4. of this general permit, related to Pollution Prevention Measures and Controls. The permittee shall minimize the contact of stormwater from the following areas or materials, in order to reduce the potential to discharge contaminated stormwater:

1. Storage areas for raw, semi-processed, or finished tannery by-products, including pallets and bales of raw, semi-processed or finished tannery by-products.
2. Buffing and shaving areas.
3. Receiving, unloading, and storage areas, if these areas are exposed.
4. Outdoor storage of contaminated equipment.
5. Waste Management Areas.

(d) Labeling. The permittee shall also label storage containers of all materials (e.g., specific chemicals, hazardous materials, spent solvents, waste materials).

Section AA. Sector AA of Industrial Activity - Fabricated Metal Products Facilities

1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector AA. Sector AA industrial activities are described by the following SIC codes:

SECTOR AA: FABRICATED METAL PRODUCTS FACILITIES

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description of Industry Sub-sector</th>
</tr>
</thead>
<tbody>
<tr>
<td>3411 – 3499</td>
<td>Fabricated Metal Products, Except Machinery and Transportation Equipment</td>
</tr>
<tr>
<td>3911 – 3915</td>
<td>Jewelry, Silverware, and Plated Ware</td>
</tr>
</tbody>
</table>

(For detailed information about each SIC code, see Part II, Section A.1.b)

2. Pollution Prevention Measures and Controls

The following requirements are in addition to the requirements listed in Part III of this general permit.

(a) Good Housekeeping Measures. In addition to the Pollution Prevention Measures and Controls SWP3 requirements in Part III, Section A.4. of this general permit, the permittee must implement the following control measures, and must document in the SWP3 the measures being used for each measure. This section of the SWP3 must also define practices to prevent or minimize exposure of stormwater to metal fines and iron dust, solvents and paints, and also from sand where sandblasting operations are conducted.

1. Raw Steel Handling Storage. Minimize the generation of or recover and properly manage scrap metals, fines, and iron dust. Include measures for containing materials within storage handling areas.
2. Paints and Painting Equipment. Minimize exposure of paint and painting equipment to stormwater.

(b) Spill Prevention and Response Procedures. Ensure that the necessary equipment to implement a cleanup is available to personnel by addressing the following areas:
(1) Metal Fabricating Areas. Maintain clean, dry, orderly conditions in these areas.

(2) Storage Areas for Raw Metal. Keep these areas free of conditions that could cause, or impede appropriate and timely response to, spills or leakage of materials.

(3) Metal Working Fluid Storage Areas. Minimize the potential for stormwater contamination from storage areas for metal working fluids.

(4) Cleaners and Rinse Water. Control and clean up spills of solvents and other liquid cleaners, control sand buildup and disbursement from sand-blasting operations, and prevent exposure of recyclable wastes. Substitute environmentally benign cleaners when possible.

(5) Lubricating Oil and Hydraulic Fluid Operations. Minimize the potential for stormwater contamination from lubricating oil and hydraulic fluid operations. Consider using monitoring equipment or other devices to detect and control leaks and overflows. Consider installing perimeter controls such as dikes, curbs, grass filter strips, or equivalent measures.

(6) Chemical Storage Areas. Minimize stormwater contamination and accidental spillage in chemical storage areas. Include a program to inspect containers and identify proper disposal methods.

(c) Additional SWP3 Requirements

(1) Site Map. Document in the SWP3 where any of the following may be exposed to stormwater: raw metal storage areas; finished metal storage areas; scrap disposal collection sites; equipment storage areas; retention and detention basins; temporary and permanent diversion dikes or berms; right-of-way or perimeter diversion devices; sediment traps and barriers; processing areas, including outside painting areas; wood preparation; recycling; and raw material storage.

(2) Potential Pollutant Sources. Document in the SWP3 the following additional sources and activities that have potential pollutants associated with them: loading and unloading operations for paints, chemicals, and raw materials; outdoor storage activities for raw materials, paints, empty containers, corn cobs, chemicals, and scrap metals; outdoor manufacturing or processing activities such as grinding, cutting, degreasing, buffing, and brazing; onsite waste disposal practices for spent solvents, sludge, pickling baths, shavings, ingot pieces, and refuse and waste piles.

(d) Additional Inspection Requirements

(1) Inspection procedures must be developed according to the standard periodic inspection requirements described in Part III, Section B. of this general permit and conducted at least once per quarter in the following areas:
   a. raw metal storage areas;
   b. finished product storage areas;
   c. material and chemical storage areas;
   d. recycling areas;
   e. loading and unloading areas;
   f. equipment storage areas;
   g. paint areas; and
   h. vehicle fueling and maintenance areas.
(2) Comprehensive Site Inspections. As part of the annual comprehensive site compliance evaluation in Part III, Section B.5., the permittee must inspect areas associated with the storage of raw metals, spent solvents and chemicals storage areas, outdoor paint areas, and drainage from roof. Potential pollutants include chromium, zinc, lubricating oil, solvents, aluminum, oil and grease, methyl ethyl ketone, steel, and related materials.

3. Benchmark Monitoring Requirements

The following subsections must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

Table 35. Benchmark Monitoring Requirements for Subsections in Sector AA

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description of Industrial Activity</th>
<th>Benchmark Parameter</th>
<th>Benchmark Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>3411-3499 3911-3915</td>
<td>Fabricated Metal Products Except Coating</td>
<td>Aluminum, total Iron, total Zinc, total Nitrate + Nitrite N TSS</td>
<td>1.2 mg/L 1.3 mg/L 0.16 mg/L 0.68 mg/L 50 mg/L</td>
</tr>
<tr>
<td>3479</td>
<td>Fabricated Metal Coating and Engraving</td>
<td>Zinc, total Nitrate + Nitrite N</td>
<td>0.16 mg/L 0.68 mg/L</td>
</tr>
</tbody>
</table>

Section AB. Sector AB of Industrial Activity - Transportation Equipment and Industrial or Commercial Machinery Manufacturing Facilities

1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector AB. Sector AB industrial activities are described by the following SIC codes:

SECTOR AB: TRANSPORTATION EQUIPMENT, INDUSTRIAL OR COMMERCIAL MACHINERY MANUFACTURING FACILITIES

<table>
<thead>
<tr>
<th>SIC Codes</th>
<th>Description of the Industrial Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>3511 – 3599, except 3571 – 3579 (see Sector AC)</td>
<td>Industrial and Commercial Machinery, except Computer and Office Equipment (see Sector AC)</td>
</tr>
<tr>
<td>3711 – 3799, except 3731, 3732 (see Sector R)</td>
<td>Transportation Equipment, except Ship and Boat Building and Repairing (see Sector R)</td>
</tr>
</tbody>
</table>

(For detailed information about each SIC code, see Part II, Section A.1.b)

2. Additional SWP3 Requirements

Drainage Area Site Map. The site map must clearly show the location of vents and stacks from metal processing and similar areas.
Section AC. Sector AC of Industrial Activity – Electronic and Electrical Equipment/ Components, and Photographic/ Optical Goods Manufacturing Facilities

1. Description of Industrial Activity

There are no additional requirements under this section that apply to stormwater discharges from activities identified and described as Sector AC. Sector AC industrial activities are described by the following SIC codes:

**SECTOR AC: ELECTRONIC, ELECTRICAL, PHOTOGRAPHIC, AND OPTICAL GOODS**

<table>
<thead>
<tr>
<th>SIC Codes</th>
<th>Description of the Industrial Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>3571 – 3579</td>
<td>Computer and Office Equipment</td>
</tr>
<tr>
<td>3612 – 3699</td>
<td>Electronic, Electrical Equipment and Components, except Computer Equipment</td>
</tr>
<tr>
<td>3812 – 3873</td>
<td>Measuring, Analyzing and Controlling Instrument; Photographic and Optical Goods</td>
</tr>
</tbody>
</table>

(For detailed information about each SIC code, see Part II, Section A.1.b)

Section AD Sector AD of Industrial Activity - Miscellaneous Industrial Activities

1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector AD. Sector AD industrial activities are described by the following Industrial Activity Code:

**SECTOR AD: MISCELLANEOUS INDUSTRIAL ACTIVITIES**

*Activity Codes and Description of the Industrial Activity*

Limited to facilities that are designated by the executive director as needing a permit to control pollution related to stormwater discharges and that do not meet the description of an industrial activity covered by Sectors A-AC

2. Limitations on Permit Coverage

(a) Facilities may not request general permit coverage under Sector AD. Coverage under this sector is reserved for those facilities that are designated by the executive director as eligible for coverage under this sector of this general permit. The executive director may designate a facility based on site specific considerations such as water quality impacts. A designation may be made based on information obtained during a site inspection or other means, if it is determined that the discharge would be appropriately regulated under this general permit rather than an individual stormwater permit.

(b) Facilities that are determined by the executive director to need controls in addition to the requirements in Part II and Part III of this general permit will be required to obtain an individual TPDES permit.
3. **SWP3 and Other Requirements**

   The permittee must implement the controls and measures described in Part III of this general permit for all regulated areas of the facility.

4. **Co-located Activities**

   Where co-located industrial activities occur (refer to Part II, Section A.3. of this general permit), the additional conditions and requirements in Part V of this general permit for each of these activities also apply.

5. **Benchmark Monitoring Requirements**

   All facilities authorized under this section must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

   Table 36. Benchmark Monitoring Requirements for Sector AD

<table>
<thead>
<tr>
<th>Activity Code</th>
<th>Description of Industrial Activity</th>
<th>Benchmark Parameter</th>
<th>Benchmark Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>AD</td>
<td>Miscellaneous Industrial Activities</td>
<td>pH</td>
<td>6.0-9.0 S.U.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>TSS</td>
<td>100 mg/L</td>
</tr>
<tr>
<td></td>
<td></td>
<td>COD</td>
<td>60 mg/L</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Oil and Grease</td>
<td>10 mg/L</td>
</tr>
</tbody>
</table>
The Notice of Intent (NOI) for the facility listed below was received on September 28, 2016. The intent to discharge stormwater associated with industrial activity under the terms and conditions imposed by the Texas Pollutant Discharge Elimination System (TPDES) stormwater multi-sector general permit TXR050000 is acknowledged. Your facility’s TPDES multi-sector stormwater general permit authorization number is:

**TXR05K745**

Coverage Effective: November 16, 2001

TCEQ's stormwater multi sector general permit requires certain stormwater pollution prevention and control measures, possible monitoring and reporting, and periodic inspections. Among the conditions and requirements of this permit, you must have prepared and implemented a stormwater pollution prevention plan (SWP3) that is tailored to your industrial site. As a facility authorized to discharge under the stormwater multi-sector general permit, all terms and conditions must be complied with to maintain coverage and avoid possible penalties.

### Project/Site Information:
- RN101514560
- Sanatillo Creek Wastewater Treatment Facility
- 9638 Schaefer Rd
- Converse, TX 78109
- Bexar County

### Operator:
- CN600790620
- San Antonio River Authority
- PO BOX 839980
- San Antonio, TX 78283

This permit expires on August 14, 2021, unless otherwise amended. If you have any questions related to processing, you may contact the Stormwater Processing Center by email at swpermit@tceq.texas.gov or by telephone at (512) 239-3700. For technical issues, you may contact the stormwater technical staff by email at swgp@tceq.texas.gov or by telephone at (512) 239-4671. Also, you may obtain information on the TCEQ website at http://www2.tceq.texas.gov/wq_dpa/index.cfm. A copy of this document should be kept with your SWP3.

Issued Date: September 28, 2016

FOR THE COMMISSION