

ADDENDUM NO. 1
to
PLANS and SPECIFICATIONS
for

Medina River Sewer Outfall, Segment 5
SAWS Job No. 12-2505



Issue Date: December 2, 2011

**SAN ANTONIO WATER SYSTEM
MEDINA RIVER SEWER OUTFALL, SEGMENT 5
SAWS PROJECT # 12-2505
ADDENDUM NO. 1**

December 02, 2011

This addendum, applicable to the project noted above, is an amendment to the bidding and specification documents and as such shall be a part of and included in the Contract. Acknowledge receipt of this addendum by entering the addendum number and issue date in the spaces provided on all submitted copies of the proposal.

1.0 Addendum Purpose

The purpose of this addendum is to delay the bid opening, and issue revisions/clarifications for the Medina River Sewer Outfall (MRSO), Segment 5 (SAWS Job No. 12-2505).

2.0 General

A. Storm Water Pollution Prevention Plan – Add the attached Storm Water Pollution Prevention Plan Report and Plan Sheets titled “Medina River Sewer Outfall: Segment 5, SAWS JOB # 12-2505, Storm Water Pollution Prevention Plan” (attached).

3.0 Clarifications.

A. The mandatory Pre-Bid Conference was held on November 22, 2011. Minutes from the meeting are attached and are considered part of this Addendum.

4.0 Specifications and Contract Documents

A. Invitation to Bidders, Page IV-1 - Remove and replace the first sentence in the fourth paragraph with the following: “Sealed bids will be received by the Contract Administration Division, 2800 U.S. Hwy 281 North, Customer Center Building, Suite 171, San Antonio, Texas 78212, until 10:00 a.m., December 13, 2011”.

B. Supplementary Conditions, Page GC 19 – Delete paragraph 5.7.1.1.5 and replace with the following: “An Umbrella Liability (UL) insurance in the amount of \$5,000,000.00. This policy shall be of an “Occurrence” type and the limit of liability shall be concurrent with and in excess of the EL and AL insurance coverage described in paragraphs 5.7.1.2, 5.7.1.3, and 5.7.1.4 of this contract. Specifically state which coverage form is being used for the Excess/Umbrella Liability insurance – please include whether the coverage form is Excess or Umbrella in the Description of Operations on the Certificate of Insurance.”

C. Supplementary Conditions, Pg. SS-4, Article X. Disputes, Page GC 36: paragraph 10.1. The requirements set forth in Article X. Disputes, Page GC 36: Paragraph 10.1

will be utilized for all work on this project other than the boring or tunneling work on this project.

- D. Section 01120, Disputes Review Board – Section 1.01, Delete Item A and Replace with the Following “A. Disputes Review Board shall be established to assist in the resolution of disputes and claims arising out of the boring or tunneling work for this project.”

5.0 Plans

- A. Drawing No. C-108, Sheet No. 28 – Remove Note: Contractor to use steel casing across TxDOT R.O.W.
- B. Drawing No. D-10, Sheet No. 44 – Remove “STAINLESS” from all “STAINLESS STEEL CASING SPACERS”.

6.0 Questions Received to Date

- A. Question: Will tunnel liner plate be allowed for use at the TxDOT R.O.W. crossings in lieu of steel casing?

Answer: Tunnel liner plate or steel pipe casing is acceptable underneath the TxDOT R.O.W. crossings.

- B. Question: Should the exclusive use of steel casing be required at the TxDOT R.O.W. crossings, can separate bid items and their respective quantities be established on the bid form in lieu of the combined language (Steel Casing or Steel Liner Plate) currently provided?

Answer: Tunnel liner plate or steel casing will be acceptable. A separate bid item will not be provided. It is up to the contractor to decide which method he elects to use.

- C. Question: Please confirm that tunnel liner plate is allowed for use at the existing railroad crossings.

Answer: Tunnel liner plate or steel casing will be an acceptable primary liner for the railroad crossing tunnels.

- D. Question: Per Plan Sheet 44, the annular space between the carrier pipe and the steel casing pipe is to be grouted. Should steel casing be utilized for any crossing, please confirm that casing spacers made of stainless steel are required in lieu of other types of casing spacers.

Answer: Space between carrier pipe and steel casing is to be grouted. Steel casing can be used for any crossing, and regular steel casing spacers are acceptable.

E. Question: For consistency amongst bidders, can a complete list of all permits and their respective fees to be paid by the Contractor for this project be provided?

Answer: The fees for each type of permit are shown below and are based on fee information received from each regulatory agency. The fees shown below may not reflect the final fee required to obtain the permit and may be subject to change. The Contractor is required to verify and/or obtain their own permitting fees. The list may not be all inclusive.

| PERMIT/AUTHORIZATION/APPROVAL | AGENCY | FEE |
|--|--------------|-------|
| TPDES - General permit Notice of Intent (NOI) | TCEQ | \$325 |
| Storm Water Quality Site Development Permit | Bexar County | \$500 |
| Flood Plain Development Permit | CoSA | N/A |
| Flood Plain Development Permit | Bexar County | \$50 |
| Utility Installation Permit | Bexar County | \$35 |
| Notice of Proposed Installation (utility) | TxDOT | N/A |
| TPDES - General permit Notice of Termination (NOT) | TCEQ | \$325 |

F. Question: Please confirm that an Owner Representative's Field Office, per Specification 01500 Section 1.08.C is not required on this project.

Answer: The Contractor shall re-read section 1.08.C. An Owner Representative's Field Office will not be required as part of this contract.

G. Question: Please confirm that a variance will not be granted in regards to the in-place density and moisture content testing of (1) test per 12-inch lift at intervals of every 400 feet of excavated trench.

Answer: There will not be a variance for testing required in specifications.

H. Question: Is there any set of circumstances that could arise (contractor's experience, location of installation, etc.) in which a variance would be considered in regards to the compaction and moisture requirements of the secondary backfill as specified in Specification SS804, Section 3.08.C?

Answer: No variance will be given for compaction and moisture requirements.

- I. Question: Please confirm that the use of the 5000 PSI concrete mix design as detailed in Section 2.05 of Specification 03300 applies to the following placement locations: Tee Base Encasement (Sheet 40, Detail 1), Manhole Drop Pipe Encasement (Sheet 40, Detail 4), & Manhole Top Slab (Sheet 40, Detail 2 &3).

Answer: All locations listed require 5000 PSI concrete.

- J. Question: Is the use of the 5000 PSI concrete mix design as detailed in Section 2.05 of Specification 03300 required for the concrete encasement of the drop piping and top slab associated with the "Typical Fiberglass Manhole Detail" shown on Sheet No. 46?

Answer: 5000 PSI concrete mix is required.

- K. Question: Please confirm that the Contractor is required to remove, stockpile, and replace 12 or 24-inches of topsoil (depending on location) from the entire width of the easement per Specification SS520, Section 2.05.A.

Answer: Contractor is required to remove, stockpile, and replace topsoil for the entire width of easement except for the location where topsoil is stockpiled.

- L. Question: The Revegetation quantity of 91,750 SY associated with Bid Item No. 3 does not account for the entire width of the easement in regards to the removal, stockpiling, and replacing of 12 or 24-inches of topsoil as detailed in Specification SS520, Section 2.05.A. Will this quantity be adjusted to account for the entire width? How was the current bid quantity of 91,750 SY calculated?

Answer: The re-vegetation quantities are for reseeding and establishing vegetation only in the areas that will be reseeded per the native seed mixture plan sheets. For clarification the contractor shall reference the description of the Bid Item #3, Re-vegetation in the measurement and payment specification section 01025.

- M. Question: It is understood that from STA 1430+14 to STA 1431+08 the 12"-18" Rock Rip-Rap is to be placed within the entire width of the easement at the specified depth; however, from STA 1463+10 to STA 1505+70 it is shown to be placed for the entire width of the trench. Please confirm the placement width of the (2) layers of 12"-18" Rock Rip-Rap associated with Bid Item No. 24 from STA 1463+10 to STA 1505+70 is to be placed within the entire width of the excavated trench at the depth of 3 feet below existing finished grade.

Answer: The Rock Rip-Rap shall be installed as indicated on the Plans and as described in the project specification.

N. Question: Is there any SW3P plans for this project?

Answer: Please find the attached SWPPP.

O. Question: Please confirm that each Contactor is required to obtain and maintain Railroad Protective Liability Insurance as specified within the Special Conditions.

Answer: Special Conditions, Section 6 Does apply to this contract .

P. Question: Please provide a reference within the specifications where the coordination requirements between the Owner, Contractor, & Color Spot Nursery are defined. If not provided, please specify what coordination is required by the Contractor.

Answer: See Specification Section 01010, Paragraph 1.05B coordination and sequencing requirements in Color Spot Nursery.

Q. Question: On Medina River segment 5 with the limited access to the construction easement and the railroad in the vicinity will trucks be able to cross the railroad tracks to haul spoils and embedment to other parts of the job ? Or will they have to go all the way out and use 1604 ?

Answer: Equipment and trucks will not be allowed to cross the railroad tracks.

Addendum No. 1
Medina River Sewer Outfall, Segment 5
Saws Project # 12-2505
December 02, 2011

ACKNOWLEDGEMENT BY BIDDER

Each bidder is requested to acknowledge receipt of this Addendum No. 1 and the associated attachments by his/her signature affixed hereto and to file same and attach with his/her bid.

The undersigned acknowledges receipt of this Addendum No. 1 along with the bid submitted herewith is in accordance with the information and stipulations set forth.

Date

Signature

END OF ADDENDUM NO. 1

P:\X2319\500\1- Documents\Phase-400-Construction Documents\Bid\Segment 5\2011-12-02-Addendum1 Seg5.doc

ADDENDUM 1 ATTACHMENTS

CLARIFICATIONS

LAND DEVELOPMENT ENVIRONMENTAL TRANSPORTATION WATER RESOURCES SURVEYING

PROJECT: San Antonio Water System **DATE:** 11/23/11
Medina River Sewer Outfall
Segment 5 Project
SAWS Job No. 12-2505
Solicitation No. B-11-030-DD

CONFERENCE LOCATION: SAWS – Tower I **CONFERENCE DATE:** 11/22/11
1st Floor Cafeteria 9:30 p.m.

PURPOSE OF MEETING: Mandatory Pre-Bid Meeting

ATTENDEES:
See Attached Sign In Sheet for Attendees

FROM: David M. Evans **PROJECT NO.:** 6866-00 (2.6)

CC:

DISCUSSION:

Introduction

- Jerry Berry with Pape-Dawson Engineers, Inc. introduced himself as the Design Consultant on the project. Jerry then introduced Patrick O'Connor of the San Antonio Water System (SAWS), who is the SAWS Project Manager for this project, Kerry Averyt (SAWS) and David Gonzales (SAWS Contract Administration). Jerry also introduced Bobby Delgado with Cude Engineers, the Design sub-consultant on the project, and David Evans with Pape-Dawson Engineers.
- Jerry indicated that since this was a mandatory Pre-Bid meeting, he stated that all in attendance must sign the "sign-in" sheet that was being circulated, in order to submit a Bid for the project, per the *Invitation to Bidders*.
- Jerry then turned the meeting over to David to discuss the requirements of the bidding process.

Bidding Process

- David reported that sealed bids will be received by SAWS Contract Administration Division, per the *Invitation to Bidders* until 10:00 a.m., December 9, 2011. If mailing a bid, contractors should make arrangements to ensure that their bid is received prior to the deadline. If delivering a bid, personally, via Fed Ex (or other courier service) they must also be delivered to SAWS Contract Administration Department (Tower II), by the deadline.
- David also reminded the contractors to be sure that they check their bids for the unit price extensions (both numerical and written, and extensions), and the bid sum figures (written and numerical), so that their bid won't be disqualified.

CONFERENCE MEMO

San Antonio Water System

Medina River Sewer Outfall – Segment 5 Project; SAWS Job No. 12-2505

Mandatory Pre-Bid Meeting

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- David reminded all in attendance to register on the SAWS website so that they are notified of all Addendums that are issued, and any other related project documents.
- All technical questions, questions regarding this solicitation, or any additional information, should be submitted in writing via email to ddwyer@saws.org or by fax at 210-233-5218 to Diana W. Dwyer, Contract Administration, no later than 4:00 p.m. (CST) on November 29, 2011. Potential bidders or suppliers should not contact the design consultant or project manager directly.
- Answers to the questions will be posted to the web site on December 2, 2011 as part of an Addendum.
- This project has an estimated cost of \$15,830,936.00, and is a 540-calendar day contract.
- A copy of the Conference Memo of today's meeting would be issued by Addendum so that everyone had the benefit of what was discussed today.
- David reported that there is a "Site Visit" scheduled for this afternoon at 1:30 pm (11/22/11), and that the Site Visit was not mandatory.
- David reviewed the mandatory items to be submitted with the Bid Packet, which are shown on the ***Bid Proposal Checklist*** in the bidding documents.
- The SMWB goal for this project is 17%. Contractors should make every effort to meet this goal. For assistance in the certification process or in the efforts to meet this goal, contractors may contact Marisol Robles, SMWB Program Manager at 210-233-3420 up until the bid opening date. Contractors will be required to utilize the Subcontracting Payment and Utilization Reporting (S.P.U.R.) system for verifying payment to subcontractors as indicated on the GFEP. Training for the SPUR system will be made available by SAWS.
- A sample Insurance Certificate or a letter from the insurance company providing coverage should be submitted with the contractor's bid package. In addition, the contractor must be 100% compliant on any and all other SAWS projects. For any contractor currently performing SAWS work, the insurance must be up to date. Paragraph 5.7 of the General Conditions increase the liability to \$5 million, which will be addressed in the upcoming Addendum.
- The Bid Bond must be an original document. No copies will be accepted.
- The Escrow Bid Documents (referenced in the Special Conditions, sheet SC-1) are due to SAWS 3 days after the Bid Opening.
- David asked that the Statement of Bidder's Experience (Attachment A found on sheet SCA-1 of the Bid Documents include recent projects as well.
- David reported that the Mobilization Item for this project is 5% maximum.
- David asked if there were any questions about the Bidding Process at this time. There were none.
- David turned the meeting back over to Jerry Berry to provide details of the project.

Program Overview

- 32 miles of sanitary sewer pipeline from the Dos Rios Water Recycling Center, westerly to southwest San Antonio, in the vicinity of US Hwy 90 and Montgomery Road (and extension of Hwy 211), south of US Hwy 90.

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San Antonio Water System

Medina River Sewer Outfall – Segment 5 Project; SAWS Job No. 12-2505

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- Proposed alignment is north of the Medina River.
- Overall project is being bid in six (6) segments.
- Segments 1, 2 & 6 are currently under construction. Segment 6 is near completion, and all of the pipe in Segment 6 is installed. Contractor is finishing up on minor cleanup items, and anticipates project completion in January 2012.

Segment 5 Overview

- Segment 5 limits begin on the west side of Old Pearsall Road and traverse westerly to the existing SAWS Lone Star Lift Station # 198, on the west side of Cagnon Road.
- Approximately 5 miles (24,891 LF) of sixty-inch (60”) diameter fiberglass sanitary sewer pipe.
- Approximately 75 LF of forty-two inch (42”) diameter fiberglass sanitary sewer pipe.
- Approximately 229 LF of thirty-six inch (36”) diameter fiberglass sanitary sewer pipe.
- Approximately 2,188 LF of bores under roadways, railroads and utilities (315 feet under UPRR and Nelson Road, 483 feet under Loop 1604, 1090 feet under Color Spot Nursery operations and Cagnon Road and 200 feet under existing water/gas lines and one existing 36” Pecan Tree).
- Average depth is approximately thirty-five feet (35’). Contractor must demonstrate experience with pipeline installations in these depths.
- The Engineers’ Opinion of Probable Construction Cost is approximately \$15.8 million.

Easement Status

- All easements have not been obtained.
- Two (2) of the easements are being acquired via condemnation (Friesenhahn – hearing scheduled for 12/15/11, and Donecker – a right of entry document is trying to be negotiated with the property owner).
- All of the easements are anticipated being acquired by the time of Notice To Proceed.

Construction Management Team

- Pape-Dawson Engineers will be providing Construction Management services on the project.
- Jerry will be the Construction Manager for the project. Jerry indicated that Joe Molina, of Pape-Dawson Engineers, would be the Project Manager on the project. There will also be a Construction Observer for each project.
- SAWS Inspectors will also be checking in on the project.

Other Projects

- Medina River Sewer Outfall (MRSO), Segment 6 – currently under construction. Scheduled for completion in January of 2012.
- MRSO Segment 4 – Bid Opening tentatively scheduled for December 6, 2011.

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San Antonio Water System
Medina River Sewer Outfall – Segment 5 Project; SAWS Job No. 12-2505
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Addendum No. 1

- Include Storm Water Pollution Prevention Plan (SW3P) requirements.
- Response to questions during the bidding process.
- Revisions to Drawing and Specifications.
- Conference Memo of today's meeting.

Permits

- Special Condition 3 (shown on Sheet SC-1) requires Contractor to obtain all necessary permits and pay all associated fees in obtaining the permits. Some of the permits have been preliminary applied for, but will need to be re-submitted by the contractor, or SAWS, and won't be official until the contractor pays the associated fees.
- The City of San Antonio (CoSA) Tree Permit has been approved.
- CoSA Flood Plain Development Permit has been renewed, and is good until 10/03/12.
- Status of remaining permits –
 - TPDES (NOI, etc.) will included in Addendum No. 1
 - Bexar County Floodplain Development Permits (9 each) – Have been preliminary reviewed by BCDPW and await formal submittal request for the permit by the contractor.
 - Roadway crossing permits – have been preliminary reviewed by BCDPW (2 each) and TxDOT (1 each), and await formal submittal request by SAWS after the contractor submits their tunneling details to the design engineer.
 - Railroad crossing permits (1 each) – have been preliminary reviewed by UPRR and await formal submittal request by SAWS for the permit once the contractor submits their tunneling details to the design engineer.
 - Pape-Dawson will assist the contractor in coordinating with the agencies to obtain the remaining permits.

General Requirements

- Work Area Limit
 - Section 01010, Paragraph 1.06.A defines the contractor's work area limits.
 - Contractor shall be confined to the easement limits.
 - Contractor will be required to install fence on easement limits if work outside of easement limits is performed after the first warning is issued.
 - Contractor to provide copies of any agreements outside of the easement areas with the landowners to the Construction Manager and SAWS.
- Survey
 - Section 01050 defines contractor's responsibilities for surveying on the project.
 - A Registered Professional Land Surveyor is required.
 - Control points have been provided along the proposed pipeline alignment. The contractor is responsible for all of his survey control to construct the project.
 - The contractor will be required to submit a report to Pape-Dawson that he verified the primary control points, and secondary control points set by the contractor's surveyor.

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- Disputes Review Board (DRB) & Escrow Bid Documents
 - Sections 01120 and 01130 define the Disputes Review Board (DRB) and Escrow Bid Documents, respectively.
 - The DRB consists of three (3) members. One selected by SAWS, one selected by the Contractor, and one selected by the two members selected by SAWS and the Contractor.
 - Escrow Documents shall be submitted three (3) days after the bid opening.

- QC/QA Testing
 - Section 01400 and individual specification sections define various QC/QA testing requirements.
 - Contactor provides Quality Control (QC) testing.
 - SAWS provides Quality Assurance (QA) testing.
 - Jerry also reported that the requirements for trench backfill material density testing are 1 test, per lift, for every 400 LF of trench backfill.

- Digital As Builts
 - Section 01720 defines the requirements of the Contractor to furnish Project Record Documents (As-Builts).
 - SAWS is currently using a new system to develop Project Record Documents on this project. The use of a Records Document Application (RDA) will be utilized on this project.
 - Digital drawings will be required on a monthly basis, as a basis for payment.
 - Contractor to provide actual survey data after installation.
 - Contractor's surveyor will be required to provide actual field data (i.e. elevations of manhole inverts, top of manholes, etc.).
 - File requirements are provided in the referenced specification section.

Technical Requirements

- Specifications
 - SAWS Standard Specifications govern. See Special Conditions SC-5.0 (sheet SC-1) for web site locations, and downloads.
 - Supplementary Specification Sections amend those specifications.

- Compaction and Moisture Requirements
 - The Compaction requirement is 98%.
 - The moisture requirement is +/- 2%.
 - No variances.
 - Jerry reported that it is the contractor's responsibility to make arrangements to provide the water necessary to obtain the moisture content for trench compaction.

CONFERENCE MEMO

San Antonio Water System

Medina River Sewer Outfall – Segment 5 Project; SAWS Job No. 12-2505

Mandatory Pre-Bid Meeting

November 23, 2011

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- Concrete
 - Permeability Requirement is 1500 coulombs or less. Jerry indicated that this requirement is indicated in the Structural Notes on the Structural Sheet Details. Jerry also indicated that at least one concrete supplier in town is supplying this concrete requirements now, on the other MRSO projects.

Tour

- Scheduled for this afternoon (11/22/11) at 1:30 a.m., for those that want to attend (not mandatory).
- Meet in the parking lot of the Bill Miller Bar-B-Q on Pearsall Road at Loop 410.

Patrick reported that there were issues that needed to be brought up on the Color Spot Nursery property.

- The contractor needs to make sure that Color Spot maintain their operations during the MRSO construction on-site
- The drainage flows from Color Spot daily irrigation activities must not be interrupted, in the existing open channel drainage channel that is within the proposed alignment of the MRSO sewer line.

Jerry also reported that there are restrictions on the time that MRSO construction activity can occur, which are identified in the specifications (Section 01010). Jerry suggested this is why it is important for any potential bidders to go on the site Tour this afternoon, to see the conditions at the Color Spot Nursery.

Jerry asked if there were any questions from those in attendance. The following questions were presented:

1. Q: One attendee asked about the Affidavit from SAWS regarding sub-contractor payments, and asked if it shouldn't include sub-contractor work issues.
A: He was requested to submit the question in writing, since David had already left, for clarification in the upcoming addenda.
2. Q: What are the permit costs?
A: Will be clarified by upcoming Addendum.
3. Q: Will the sign-in sheet be made available on the SAWS website?
A: Yes.
4. Q: Are the compacted rock limits, shown on Sheets 29, 32 & 33 only to the trench limits, or all of the disturbed area?
A: All of the disturbed area. Will be clarified in the upcoming Addendum.

Jerry again reminded everyone that all questions, even those asked during today's meeting should be sent in writing to Diana Dwyer's attention no later than 4:00 p.m. on November 29, 2011.

CONFERENCE MEMO

San Antonio Water System

Medina River Sewer Outfall – Segment 5 Project; SAWS Job No. 12-2505

Mandatory Pre-Bid Meeting

November 23, 2011

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As per the *Invitation to Bidders*, the following companies were in attendance at the Mandatory Pre-Bid Meeting and will be allowed to bid the project:

- Don Kelly Construction
- Merryman Excavation
- Ledcor CMI
- Archer Western Construction
- S. J. Louis Construction
- Pesado Construction
- Pipelayers, Inc.
- Holloman Corporation
- KFW Surveying
- Ace Pipe Cleaning
- Oscar Renda Construction
- HOBAS Pipe
- USCPS (Flowtite Pipe)
- JLB Trucking
- BRH Garver Construction, LP
- Lewis Contractors, Inc.

The "Minutes of the Meeting" outlined herein reflect Pape-Dawson Engineers' understanding of what was discussed and presented at this meeting. The minutes will stand for the record unless comments are received in writing within (3) days of the date of these minutes.

END OF MEMO

Attachments:

1. Attendance List

P:\68\66\00\02.0) Project Management\2.6) Meetings\111122 Segment 5 Pre-Bid Meeting\111123a1.doc

SAN ANTONIO WATER SYSTEM
MEDINA RIVER SEWER OUTFALL
 Segment 5 Project; SAWS Job No. 12-2505
 Solicitation No. B-11-030-DD
 November 22, 2011; 9:30 am
 SAWS Tower I, 1st Floor Cafeteria
 Purpose: Mandatory Pre-Bid Meeting

| NAME | COMPANY | PHONE# | FAX | EMAIL |
|----------------------------|-------------------------|----------------|----------------|------------------------------------|
| Jerry Berry <i>JB</i> | Pape-Dawson | (210) 375-9000 | (210) 375-940 | jberry@pape-dawson.com |
| David Evans <i>DME</i> | Pape-Dawson | (210) 375-9000 | (210) 375-9040 | devans@pape-dawson.com |
| Bobby Delgado <i>BD</i> | Cude Engineers | (210) 681-2951 | | bdelgado@mwcude.com |
| Mike Cude | Cude Engineers | (210) 681-2951 | | mwcude@mwcude.com |
| Patrick O'Connor <i>PO</i> | SAWS | (210) 233-3020 | (210) 233-5468 | Patrick.OConnor@saws.org |
| David Gonzales <i>DG</i> | SAWS | (210) 233-3498 | | David.Gonzales@saws.org |
| FRANK CRUSE | DON KELLY CONST | 406-585-5606 | 406-585-5611 | FRANK @ DON KELLY CONSTRUCTION.COM |
| Thomas MERRYMAN | Merryman EXCAVATION | 815-337-1700 | 815-337-1766 | Tom @ Merryman EXCAVATION.COM |
| MICHAEL DAZIEL | LEDCOR CMI | 602-595-3017 | 602-595-3602 | MICHAEL.DAZIEL@LEDCOR.COM |
| KEN HERSHNER | LEDCOR CMI | 602-595-3017 | 602-595-3602 | KEN.HERSHNER@LEDCOR.COM |
| FERMIN MENDEZ | Archer Western Conf. | (210) 825-4519 | | fmenendez @ walsh group.com |
| LUKAS MENEBOYER | S.J. LOUIS CONSTRUCTION | (210) 340-9998 | (210) 340-9997 | LUCAS.M@SJLOUIS.COM |
| MIKE COX | PESADO CONSTRUCTION | (210) 651-4452 | 210 651 4492 | mcox@PESADOCONSTRUCTION.COM |
| CWISLET SWANN | PIPELAYERS INC. | 210 684 7400 | 210 684 4833 | CWISLET@PIPELAYERSINC.COM |
| LARRY HUNNICUTT | Holloman Corp. | 210 667-9925 | 210 667-9968 | Sherryland @ Holloman Corp. COM |
| JON GRAHAM | KFW SURVEYING | 210-979-8444 | 210 979 8441 | JGRAHAM @ KFW ENGINEERS.COM |
| Christopher Cameron | Acc Pipe Cleaning | 800-565-1115 | 817-332-1557 | ccameron@accpipe.com |
| Tom Sink | Oscar Rendal Cont | 817-491-2703 | | jsink@oscarrendal.com |
| VICTOR RIVERA | HOBAS PIPE | 713-907-4406 | 866-619-8983 | vrivera@hobaspipe.com |

| NAME | COMPANY | PHONE# | FAX | EMAIL |
|----------------|------------------------|--------------------------|------------------|---------------------------|
| Rocky Lorenz | USCPS | 817-821-4535 | | RLORENZ@flowitepipe.com |
| Sharilyn James | JBL Trucking | 210-488-2687 | 210-522-9158 | jbltrucking@sbcglobal.net |
| Philip Reed | BRH GARVER | Dnsti, L.P. 713-922-2912 | 2929x12 921-2487 | philreed@BRHGARVER.COM |
| Jason Lewis | Lewis Contractors, Inc | (512)260-9900 | (512)260-9902 | matt@lewiscontractors.com |
| KERRY AVERETT | SAWS | 210-233-3591 | 210-233-4814 | KAVERTT@SAWSINC. |
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GENERAL

**MEDINA RIVER SEWER OUTFALL:
SEGMENT 5
SAWS JOB #12-2505
Storm Water Pollution Prevention Plan**

**TPDES General Permit
NO. TXR 150000**

**November 2009
Revised October 2011)**

**MEDINA RIVER SEWER OUTFALL:
SEGMENT 5
SAWS JOB #12-2505
Storm Water Pollution Prevention Plan**

**TPDES General Permit
NO. TXR 150000**

**November 2009
(Revised October 2011)**

Texas Board of Professional Engineers, Firm Registration # 470



LAND DEVELOPMENT ENVIRONMENTAL TRANSPORTATION WATER RESOURCES SURVEYING

October 21, 2011

Mr. Patrick O'Connor
Project Manager
San Antonio Water System
2800 U.S. Highway 281 North
San Antonio, TX 78212

Re: Medina River Sewer Outfall: Segment 5 (SAWS Job #12-2505)
TPDES Storm Water Pollution Prevention Plan

Dear Mr. O'Connor:

Attached please find a copy of the Texas Pollutant Discharge Elimination System (TPDES) Storm Water Pollution Prevention Plan (SWP3) for Medina River Sewer Outfall: Segment 5 (SAWS Job #12-2505) prepared for the San Antonio Water System (SAWS). This document is a key element for construction of the referenced project and should be maintained on site at all times during construction. To best protect yourself, we suggest you familiarize yourself with the requirements in the Storm Water Pollution Prevention Plan. Please note, both you and your contractor must complete a Notice of Intent (NOI) form and forward it to the Texas Commission on Environmental Quality (TCEQ) and SAWS. Both you and your contractor must also complete a Construction Site Notice (CSN) and submit it to SAWS. A Storm Water Quality Site Development Permit Application must also be completed and submitted to Bexar County as instructed in the Plan Implementation Checklist.

In addition, your contractor should pay particular attention to the instructions regarding maintenance and inspections of erosion control items and should maintain the forms included herein.

Should you have any questions regarding this TPDES Storm Water Pollution Prevention Plan, please contact our office. We appreciate the opportunity to serve SAWS on this project.

Sincerely,

Pape-Dawson Engineers, Inc.

Texas Board of Professional Engineers, Firm Registration # 470

Cara C. Tackett, P.E.
Vice President

Attachments

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MEDINA RIVER SEWER OUTFALL: SEGMENT 5 (SAWS JOB #12-2505)
Storm Water Pollution Prevention Plan

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- Exhibit 2 – Site Plan
- Exhibit 3 – Best Management Practices (BMPs) Details
- Exhibit 4 – Project Milestone Dates
- Exhibit 5 – On-Site Materials List
- Exhibit 6 – Responsible Party Form

ATTACHMENTS

- Notice of Intent (NOI), Construction Site Notice & NOI Tracking Form
- Stormwater Quality Site Development Permit Application (Bexar County)
- Inspection Records
 - Inspection Schedule Form
 - SWP3 Inspection Forms and Corrective Action Items Forms
- Letter Delegating an “Authorized Representative”
- Inspector’s Qualifications
- Plan Modifications
- Notice of Termination
- March 5, 2008 TPDES General Permit TXR150000

MEDINA RIVER SEWER OUTFALL: SEGMENT 5 (SAWS JOB #12-2505)

Storm Water Pollution Prevention Plan

IMPORTANT DEFINITIONS

Primary Operator – the person or persons associated with a large or small construction activity that meets either of the following two criteria:

- (a) the person or persons have operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications; (**Owner/Developer**)
- (b) the person or persons have day-to-day operational control of those activities at a construction site that are necessary to ensure compliance with a Storm Water Pollution Prevention Plan (SWP3) for the site or other permit conditions (e.g., they are authorized to direct workers at a site to carry out activities required by the SWP3 or comply with other permit conditions). (**General Contractor**)

Secondary Operator – The person whose operational control is limited to the employment of other operators or to the ability to approve or disapprove changes to plans and specifications. A secondary operator is also defined as a primary operator and must comply with the permit requirements for primary operators if there are no other operators at the construction site.

PLAN IMPLEMENTATION CHECKLIST (ALL PROJECTS)

1. At least seven (7) days prior to start of construction, the primary operator(s) must submit a Notice of Intent (NOI) – TCEQ Form 20022 (03/05/2008) by Certified Mail-Return Receipt Requested to the following:

| | |
|---|---|
| Texas Commission on Environmental Quality Storm Water Processing Center (MC-228) P.O. Box 13087 Austin, Texas 78711-3087 | TPDES Coordinator San Antonio Water System (MS4) 2800 U.S. Hwy 281 North P.O. Box 2449 San Antonio, Texas 78298 |
|---|---|

NOI may be submitted electronically prior to start of construction. To submit a NOI electronically, go to <http://www.tceq.state.tx.us/permitting/steers/steers.html>

Carefully review form and provide all requested information.

2. At least seven (7) days prior to start of construction the primary operator(s) must submit a Construction Site Notice (CSN) to the local Municipal Separate Storm Sewer System (MS4) at the following address:

**TPDES Coordinator
San Antonio Water System (MS4)
2800 U.S. Hwy 281 North
P.O. Box 2449
San Antonio, Texas 78298**

3. The primary operator(s) must submit a \$325.00 Storm Water Application Fee/Water Quality Fee using Form TCEQ-20134 (03/05/2008) under separate cover to:

| | |
|--|---|
| <u>If By Regular U.S. Mail</u> Texas Commission on Environmental Quality Financial Administration Division Cashier Office, MC-214 P.O. Box 13088 Austin, Texas 78711-3088 | <u>If By Overnight/Express Mail</u> Texas Commission on Environmental Quality Financial Administration Division Cashier's Office MC-214 12100 Park 35 Circle Austin, Texas 78753 (512) 239-0357 or (512) 239-0187 |
|--|---|

To pay online go to: <https://www6.tceq.state.tx.us/epay>. The fee is \$225.00 if submitting the NOI electronically.

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4. Incorrect information, omissions of relevant facts, or changes in relevant information provided in the original NOI must be corrected within 14 days after discovery, in writing, in a Notice of Change (NOC) letter or TCEQ Form 20391 (07/13/2007) to the address in 1 above. A transfer of operational control, including transfer of ownership of a company may not be included in an NOC.

Carefully review form and provide all requested information.

5. The primary operator(s), (all parties that submit an NOI) must sign the NOI Tracking Form provided in this SWP3.
6. All Notices of Intent, Notices of Termination, Storm Water Pollution Prevention Plans, reports, certifications, or information either submitted to the Director or to the operator of a large or medium municipal separate storm sewer system, or that this permit requires be maintained by the permittee, shall be signed by a responsible corporate officer, by a general partner or proprietor, by a principal executive public officer, or by a ranking elected public official in accordance with 30 TAC §305.44. A reference copy of this regulation is provided in the "Notice of Intent" section of this SWP3.
7. Post signed copies of all NOIs/NOCs/CSNs in a location where they are readily available for viewing by the general public (e.g., along side of building permit). Copies of all NOIs/NOCs/CSNs shall remain posted until the completion of construction activities. A copy of the SWP3 is to be kept on the construction site.
8. The primary operator(s) must complete the Responsible Party Form (Exhibit 6, Sheet 1 of 2). Additionally, primary operator(s) should use "Responsible Party Form" (Exhibit 6, Sheet 2 of 2) to designate responsibility for pollution prevention measures.
9. The primary operator(s) or general contractor shall designate qualified person(s) to conduct inspections and fill out Inspection Schedule Form and Inspection Forms (copies provided in Storm Water Pollution Prevention Plan). A copy of the inspector's qualifications should be included in this SWP3. The owner/operator may elect to authorize an individual or position having responsibility for the overall operation of the construction activity, or for the owner/operator's environmental matters, to sign inspection reports or other information required by the permit. This authorization must be submitted in writing to the Executive Director of the Texas Commission on Environmental Quality. This authorization cannot include NOI forms, NOT forms, NOC letters, or Construction Site Notices required by this permit.

A form letter for delegating an "Authorized Representative" is included in the "Inspection Record" section of this SWP3.

10. Any field changes or modifications to the SWP3 should be noted on the appropriate exhibit, signed, and dated by the responsible party.
11. Maintain the SWP3 by posting changes, if any, copies of NOIs, NOTs, etc., in plan. File Inspection Forms in SWP3 and retain all records and documents for a minimum period of three years from the date of NOT submittal or terminated coverage.
12. All responsible parties must file a Notice of Termination (NOT) – TCEQ Form 20023 (02/06/2007) (copies in SWP3) within 30 days of when their work has been completed and when the site has been stabilized, or when the operator of storm water discharges changes. Copies should be sent by "Certified Mail - Return Receipt Requested" to the parties identified in 1 above. If a site is turned over to another operator, the existing operator shall notify the new operator in writing of the need to obtain permit coverage.

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PLAN IMPLEMENTATION CHECKLIST (BEXAR COUNTY)

The following are additional items applicable to projects within the limits of Bexar County and outside the jurisdiction of a municipality.

1. At least seven (7) days prior to the start of construction, the primary operator(s) must submit a Storm Water Quality Site Development Permit Application & Fees (\$500) to the following:

Bexar County Infrastructure Services Department
Environmental Services Division
Storm Water Quality
233 N. Pecos – La Trinidad, Suite 420
San Antonio, Texas 78207

Carefully review form and provide all requested information. A copy of this SWP3 must be included.

2. Notify the Bexar County Stormwater Quality Program at least three (3) working days prior to:
 - a. start of construction;
 - b. completion of site clearing;
 - c. completion of final grading;
 - d. when temporary stabilization occurs; and
 - e. completion of final landscaping
3. Terminate the Site Development Permit when the site reaches permanent stabilization. Submit a copy of the TCEQ's Notice of Termination (NOT) to the address listed in Item 1 above.

STORM WATER POLLUTION PREVENTION PLAN

MEDINA RIVER SEWER OUTFALL: SEGMENT 5 (SAWS JOB #12-2505)

Storm Water Pollution Prevention Plan

INTRODUCTION

This Storm Water Pollution Prevention Plan (SWP3) is prepared for the San Antonio Water System (SAWS) and its authorized agents per the guidelines in the TPDES General Permit TXR150000 (TXR150000), dated March 5, 2008, issued pursuant to Chapter 26 of the Texas Water Code and Section 402 of the Clean Water Act, by the Texas Commission on Environmental Quality (TCEQ). This SWP3 is arranged to address Part III, Section F "Contents of SWP3" as it pertains to the proposed construction activities.

This report is prepared for the exclusive use of the San Antonio Water System and its authorized agents. The scope of services performed during the preparation of this report may not be appropriate for other users and such use or reuse of this report is unauthorized, unless the prior written approval of Pape-Dawson Engineers, Inc. (Pape-Dawson) has been obtained.

In the preparation of this report, Pape-Dawson has relied upon certain information supplied by the Client, and upon commonly used sources of data. Pape-Dawson does not warrant the accuracy of the information obtained from those sources and has not independently verified such information.

All conclusions, opinions and recommendations in this report are based upon Pape-Dawson's understanding of site conditions at this time. The development plans presented in this report should not be relied upon to represent conditions at later dates or changes to the development plan.

The contractor shall ensure that the construction site complies with all notification requirements of TXR150000, which are as follows:

- *For sites which disturb one (1) or more acres but less than five (5) acres, or are part of an overall plan of development which is more than one (1) acre but less than five (5) acres, a Construction Site Notice (CSN), which give the name and telephone number of a*

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representative of the Operator, a brief description of the construction project, and the location of the SWP3 must be completed by each Operator, signed by an official of the Operator, and posted near the main entrance of the construction site in a publicly accessible location for viewing by the general public. A copy of each CSN must also be provided to the operator of any Municipal Separate Storm Sewer System (MS4) which receives any discharge from the construction site at least two (2) days prior to commencement of construction activities.

I. SITE DESCRIPTION

Project Name: *Medina River Sewer Outfall: Segment 5 (SAWS Job #12-2505)*

Project Street Address: *From approximately 100 feet west of Pearsall Road to approximately 2,200 feet west of Cagnon Road, San Antonio, Texas*

Latitude: *N29°18'44.2"*

Longitude: *W98°39'37.3"*

Nature of the Construction Activity: *Construction of 1-60", 1-42" and 1-36" sewer outfall including clearing, grubbing, trenching, tunneling or boring, sewer outfall installation, trench backfilling, and project stabilization.*

Estimated Construction Start Date: *02/20/12*

Estimated Construction End Date: *08/16/13*

Total Site Area (Acres): *64±*

Approximate Site Area to be Disturbed (Acres): *64±*

Temporary Sedimentation Basin provided: *No. As this is a linear project over a narrow project area, it is not practical for a sediment basin to be constructed for site disturbance. However, a minimum of 1 foot of topsoil will be removed over the project area and stockpiled for future reclamation purposes. The topsoil removed will effectively create a linear sedimentation basin feature which exceeds 3,600 cf storage per acre disturbed.*

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Soil Types: According to the USDA Natural Resources Conservation Service (NRCS) Web Soil Survey (<http://websoilsurvey.nrcs.usda.gov/app>) for Bexar County the soils on the site are described as follows:

Gullied land-Suney complex, 3 to 20 percent slopes (Gu): This soil type typically occurs along rivers and streams, where terraces and floodplains meet. In a typical soil profile the surface and subsurface layer is clay loam down to around 60 inches. The depth to a restrictive layer is greater than 60 inches. The soil is considered well drained. This soil does not meet hydric criteria.

Branyon clay, 0 to 1 percent slopes (HtA): This soil type is typically found along smooth terraces generally adjacent to drainageways. In a typical soil profile, the soil layer consists of moderately alkaline clay from 0 to 62 inches. Depth to a root restrictive layer is greater than 60 inches and is moderately well drained. This soil does meet hydric criteria.

Houston Black gravelly clay, 3 to 5 percent slopes (HuD): This soil type is typically found on ridges on plains. In a typical profile, the soil layer is 0 to 8 inches of moderately alkaline gravelly clay, 8 to 62 inches of moderately alkaline clay. Depth to a root restrictive layer is greater than 60 inches and is moderately well drained. This soil does not meet hydric criteria.

Lewisville silty clay, 0 to 1 percent slopes (LvA): This soil type occurs on stream terraces along river valleys. The parent material consists of alluvium of Quaternary age derived from mixed sources. In a typical profile, the soil layer is from 0 to 62 inches of silty clay. Depth to a root restrictive layer is greater than 60 inches. The soil is well drained with a high shrink-swell potential. The minimum depth to a water table is greater than 72 inches. This soil does not meet hydric criteria.

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Tinn clay, 0 to 1 percent slopes, occasionally flooded (Tc): This soil type occurs along narrow terraces above floodplains. In a typical profile, the soil layer is 0 to 80 inches of moderately alkaline clay. Depth to a root restrictive layer is greater than 60 inches and is well drained. This soil does meet hydric criteria.

Tinn and Frio soils, 0 to 1 percent slopes, frequently flooded (Tf): These soils occur as narrow, long, and irregularly shaped areas on the flood plains of small streams and the larger field drainage ways. The surface layer is generally clay, ranging from black to grayish-brown in color and is 40 to 70 inches thick. The subsurface layer is a gray to light grayish-brown colored clay, 4 to 20 inches thick. The parent material consists of clayed alluvium of Holocene age derived from mixed sources. The depth to a root restrictive layer is greater than 60 inches. This soil is moderately well drained with very high shrink-swell potential. Frio soils are well drained with moderate shrink-swell potential. Some areas with these soils are subject to a thin deposition of sediments and others to scouring or shifting. Channels in these areas are poorly defined and of small capacity. These soils contain hydric components.

Suney clay loam 0 to 3 percent slopes (VcA, VcB): This soil type occurs along and between stream terraces, and along deeply entrenched drainageways. In a typical profile, the soil layer is 0 to 34 inches of moderately alkaline clay loam and 34 to 62 inches of moderately alkaline loam. Depth to a root restrictive layer is greater than 60 inches and is well drained. This soil does not meet hydric criteria.

The site is in Bexar County which receives an average of 30 inches of rainfall annually with the highest amounts of rainfall received in the month(s) of May, June, September and October.

Pre-construction site runoff coefficient: 0.30

Post-construction site runoff coefficient: 0.30

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Industrial Activity Discharges: *No*

Receiving Water: *The site will drain into segment 1903 of the Medina River. This segment is not listed by the TCEQ on the 2008 303(d) list as an impaired water. It is the opinion of Pape-Dawson that construction activities at this site with the practices contained in this SWP3 should not have an adverse impact on these water quality parameters.*

Wetlands: *Yes. One wetland was identified within the project area. It originates from an irrigation well located south of the alignment.*

| <i>Water Body Type</i> | <i>Estimated Acres within Project Area</i> | <i>Anticipated Jurisdictional Status</i> |
|------------------------|--|--|
| <i>PEM Wetland</i> | <i>0.06</i> | <i>Non-Jurisdictional</i> |

Jurisdictional Waters: *From February through June 2009, SWCA conducted a waters of the U.S. determination within the project area. The following are potential waters of the U.S. mapped by SWCA:*

| <i>Water Body Type</i> | <i>Estimated Acres within Project Area</i> | <i>Coordinates (LONG/LAT)</i> | <i>Anticipated Jurisdictional Status</i> |
|------------------------|--|-------------------------------|--|
| <i>Stream Channel*</i> | <i>0.04</i> | <i>-98.70141/29.35201</i> | <i>Jurisdictional</i> |
| <i>Potranca Creek</i> | <i>0.03</i> | <i>-98.71271/29.35303</i> | <i>Jurisdictional</i> |

**unnamed ephemeral tributary to Medina River*

Because site construction activities will impact jurisdictional waters of the U.S., a U.S. Army Corps of Engineers Nationwide Permit 12 may be required. The sediment and erosion control practices used on this site will address the requirements of the Nationwide Permit.

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Edwards Aquifer Recharge or Contributing Zone: *No*

EXHIBIT 1 - General Location Map

EXHIBIT 2 - Site Plan illustrating the Storm Water Pollution Prevention Plan including the following, where appropriate:

- Drainage patterns
- Approximate post-grading slopes
- Areas of soil disturbance
- Undisturbed areas
- Locations of major structural and non-structural controls
- Locations of temporary or permanent stabilization practices
- Locations of construction support activities including off-site activities, material, waste, borrow, or equipment storage areas
- Surface waters (including wetlands)
- Storm water discharges to a surface water feature or municipal separate storm sewer system (MS4)
- Vehicle wash areas

EXHIBIT 3 - Typical Details for Best Management Practices (BMPs)

Potential Pollutant Sources:

- Soil erosion due to clearing, grubbing, or excavation for utilities
- Oil, grease, fuel, and hydraulic fluid contamination from construction equipment and vehicle drippings
- Miscellaneous trash and litter from construction workers and material wrappings
- Construction debris
- Concrete truck wash-out water
- Detergents, cleaning solvents
- Paints, paint solvents, other petroleum based products

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Sequence of Major Activities:

- Installation of BMPs
- Clearing
- Grading
- Excavation
- Installation of Utilities (sewer)
- Site Cleanup
- Removal of BMPs

II. CONTROLS

The sequence of major activities of work on this site will be divided into two stages, site preparation and construction. Site preparation consists of clearing, grubbing, grading, or excavation. This work, which is the initiation of all activity on the project, will disturb the largest amount of soil. Therefore, before any of this work can begin, the site contractor will be responsible for the installation and maintenance of control measures as located on Exhibit 2 and illustrated on Exhibit 3. These measures are designed to minimize erosion and minimize eroded soil from leaving the site.

Construction activities include utility installation and site cleanup. Prior to the initiation of construction, all previously installed control measures will be repaired or reestablished for their designed or intended purpose by the construction contractor. The construction contractor will also be responsible for installation of all remaining control measures located on Exhibit 2 and illustrated on Exhibit 3. These controls are intended to prevent eroded soil, trash, and construction debris from leaving the site.

The TXR150000 General Permit requires the permittee to revise or update the SWP3 whenever there is a change in site conditions, new operators, new areas of responsibility, and changes in Best Management Practices. Accordingly the SWP3 is meant to be a

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dynamic working guide that is to be kept current and amended whenever the design, construction, operation, maintenance, or inspection result indicates that the SWP3 is ineffective in eliminating or significantly minimizing pollutants in storm water discharges. All changes to the plan must be shown on Exhibit 2, dated, and signed by the responsible party.

A. EROSION AND SEDIMENT CONTROLS

1. GOALS AND CRITERIA

General goals and criteria for erosion and sediment control are as follows:

- Erosion controls are designed to minimize the amount of erosion which takes place by maximizing the amount of stabilized areas during construction. Sediment controls are designed to retain sediment on site to the maximum extent practicable with consideration for local topography, soil type, and rainfall.
- Control measures must be properly installed and maintained according to the manufacturer's or designer's specifications. If periodic inspections or other information indicates a control has been used incorrectly, or that the control is performing inadequately, the operator must replace or modify the control as soon as practicable after discovery that the control has been used incorrectly, is performing inadequately, or is damaged.
- Sediment must be removed from sediment traps and sedimentation ponds no later than the time that design capacity has been reduced by 50%.
- If sediment escapes the site, accumulations must be removed at a frequency to minimize further negative effects, and whenever feasible, prior to the next rain event.

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- Controls must be implemented to limit, to the extent practicable, off-site transport of litter, construction debris, and construction materials.
- Off-site material storage areas such as construction staging areas, soil stockpiles, and borrow areas used solely by the project are considered part of the project for SWP3 purposes. Contractors will be responsible for establishing appropriate controls for these storage areas, for revising this plan to include those off-site storage areas, and to ensure that these areas are properly covered under the TXR150000.

2. STABILIZATION PRACTICES

Stabilization practices may include but are not limited to: land clearing activities shall be done only in areas where earthwork will be performed and shall progress as earthwork is needed; frequent watering or use of biodegradable soil binders in excavation and fill areas as needed to minimize wind erosion during construction; establishment of temporary vegetation, establishment of permanent vegetation, mulching, geotextiles, sod stabilization, erosion control blankets, Turf Reinforcement Mats (TRM), Bonded Fiber Matrix (BFM), vegetative buffer strips, protection of existing trees and vegetation, and other similar measures. Interim on-site stabilization measures, which are continuous (on-going), will include the following:

- Existing vegetation at the downgradient portion of the site shall be preserved. Ground cover shall not be disturbed until it is necessary to proceed with fieldwork.
- Soil disturbances shall be minimized by exposing only the smallest practical area of land required for the clearing and grading activity and for the construction activity, for the shortest practical period of time.

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- Maximum practical use will be made of natural vegetation including grass, weeds, trees, shrubs, etc. by leaving these materials in place until construction necessitates clearing the minimum practical area for continuance of construction.
- Trenching and associated backfilling for utilities and foundations shall be coordinated to minimize to the extent practical the time the area is disturbed.
- Storm water perimeter control devices shall be installed at least 10 feet from stockpile materials. Topsoil stockpiles should be seeded or covered by erosion control blankets, if they are not to be used within fourteen (14) days (TXR150000 Part III (F)(2)(b)(iii)(A)).
- Throughout the project, as necessary, water or environmentally sustainable soil binders shall be applied for dust control.

Permanent on-site stabilization measures, which will be scheduled as detailed below, will include the following:

- As soon as practical, all disturbed soil will be stabilized per applicable project specifications.
- Stabilization measures in this instance shall comply with temporary stabilization as defined in TXR150000 or as defined otherwise in landscape plans where applicable.

Stabilization measures will be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, and except as provided below, will be initiated no more than fourteen (14) days after the construction activity in that portion of the site has temporarily or permanently ceased.

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- Where construction activity on a portion of the site is temporarily ceased, and earth disturbing activities will be resumed within twenty-one (21) days, temporary stabilization measures do not have to be initiated on that portion of site.
- In arid areas (areas with an average rainfall of 0 to 10 inches), semiarid areas (areas with an average annual rainfall of 10 to 20 inches), and areas experiencing droughts where the initiation of stabilization measures by the 14th day after construction activity has temporarily or permanently ceased is precluded by seasonably arid conditions, stabilization measures must be initiated as soon as practicable.
- Final stabilization must be achieved prior to termination of permit coverage.
- Final stabilization as defined in TXR150000 (a uniform perennial vegetative cover with a density of at least 70% of the native background vegetative cover for the area) must be achieved prior to termination of permit coverage.
- A final walk-through of the completed construction site shall be performed to ensure final stabilization is established.

Records of project milestone dates are required to be maintained and shall be recorded on Exhibit 4. Project milestones include the following:

- Dates when installation of BMPs begin;
- Dates when site preparation activities begin and end;
- Dates when construction activities begin and end;
- Dates when either site preparation or construction activities temporarily or permanently cease on all or a portion of the project; and

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- Dates when stabilization measures are initiated and when stabilization is complete.

3. STRUCTURAL PRACTICES

On-site structural practices, which are continuous (on-going) until the site is permanently stabilized, may include the following:

- Erection of silt fences, rock berms, straw wattles and tri-dikes as located on Exhibit 2 and illustrated on Exhibit 3;
- Installation of stabilized construction entrances and exits as required and a construction staging area as located on Exhibit 2 and illustrated on Exhibit 3;
- Placement of gravel filter bags as located on Exhibit 2 and illustrated on Exhibit 3;
- Designation of natural vegetated buffer strip areas as located on Exhibit 2;
- Installation of drain inlet protection as located on Exhibit 2 and illustrated on Exhibit 3; and
- Installation of concrete truck wash-out pit as located on Exhibit 2 and illustrated on Exhibit 3.

Where structural controls are shown on TxDOT right-of-way, the contractor must coordinate location and placement of structural controls with the appropriate TxDOT office.

These storm water pollution control features will slow the velocity of runoff thereby enhancing sedimentation and capture of contaminants that may accumulate in storm water runoff exiting this construction site. There are no

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structures to divert storm water and no structures to store storm water on this project.

It is to be understood that modifications to the SWP3 may have to be made in the field to adjust for field conditions and to provide the intended effect. All changes to the plan must be shown on Exhibit 2, dated, and signed by the responsible party, or described and included in the Plan Modifications section of this SWP3.

Best management practices may be installed in stages to coincide with the disturbance of upgradient watershed areas.

Best management practices may be removed in stages once the watershed for that portion controlled by the best management practice(s) has been stabilized in accordance with TPDES requirements. Upon completion of the project and before final payment is issued, Contractor shall remove all sediment and erosion control measures, paying special attention to rock berms in drainage features.

Because of the inherent difficulties in maintaining construction schedules due to weather delays, the conditions noted above and listed elsewhere in this plan are provided in lieu of a time related schedule.

B. POST-CONSTRUCTION STORM WATER MANAGEMENT

Unless indicated or required by the soil stabilization project specifications, this project does not require any TPDES post-construction storm water pollution controls or velocity dissipation devices.

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C. OTHER CONTROLS

Additional on-site practices, which are continuous (on-going) until the site is permanently stabilized, will include the following:

1. OFF-SITE VEHICLE TRACKING

- Vehicular traffic leaving the construction site (prior to improved streets) will exit through a stabilized construction exit as located on Exhibit 2 and illustrated on Exhibit 3. When soils have collected on the stabilized vehicular exit to an extent which reduces its intended effectiveness, the surface will be cleaned and reestablished for its designed or intended purpose.
- Mud/dirt inadvertently tracked off site and onto public streets shall be removed immediately by hand or mechanical broom sweeping.
- To the extent practicable, minimize the generation of dust during construction by means including water spray, covering open stockpiles, etc. Spraying of petroleum based or toxic liquids for this purpose is prohibited.

2. CONSTRUCTION MATERIALS STORAGE

- Construction materials shall be stored within a designated storage area as located on Exhibit 2 and illustrated on Exhibit 3. Bulk materials such as sand, topsoil, etc. will be bordered on the downgradient sides with a storm water perimeter control device established at a minimum distance of ten (10) feet from the toe of the stockpile as illustrated on Exhibit 3. A list of materials to be stored on site should be recorded and regularly updated on the "On-Site Materials List" provided in Exhibit 5.
- An area shall be designated as a construction equipment and vehicle storage area as located on Exhibit 2. Construction equipment (except

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large slow-moving equipment) not removed from the site at night shall be stored in the containment area.

- Excavation spoils temporarily stored on site, pending off-site disposal in accordance with applicable regulations, shall be bordered on the downgradient side by a storm water perimeter control device established at a minimum distance of ten (10) feet from the toe of the stockpile as illustrated on Exhibit 3 and recorded on the "On-Site Materials List" provided in Exhibit 5.
- The designated construction equipment and vehicle storage area shall have a single entrance and will be bordered on the downgradient sides by a silt fence as illustrated on Exhibit 3.
- Sediment collected behind silt fences will be periodically collected and placed as fill material within the property. Contaminated sediments will be disposed of off site in accordance with applicable regulations.
- The use of on-site temporary construction fuel storage tanks is limited to tank sizes which can only store unregulated quantities of fuel and which have integral spill containment devices with a capacity of at least 110% of tank capacity.
- Intentional release of vehicle or equipment fluid onto the ground is prohibited. In project areas suspected of potential toxic or petroleum products contamination, the soil shall be tested to determine the proper method of disposal.
- Scheduled construction equipment and vehicle maintenance accomplished on site shall be done within the construction equipment and vehicle storage area.

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3. WASTE DISPOSAL

- Construction waste materials, domestic garbage, etc. shall be periodically collected in receptacles designated for that purpose and disposed of off site in accordance with applicable regulations.
- All sanitary waste will be collected from the portable toilets by a licensed portable facility provider in complete compliance with local and state regulations.
- A controlled on-site area as located on Exhibit 2 and illustrated on Exhibit 3 shall be designated as a concrete truck wash-out pit for concrete trucks. Truck wash-out pits shall be surrounded by a berm or hay bales to prevent runoff of contaminated water. The contractor will advise his concrete suppliers of the requirements to utilize the wash-out pits for the intended purpose.
- Direct discharge of concrete truck wash-out water to surface waters of the state, including discharge to storm sewers, is prohibited by this general permit.
- Concrete truck wash-out water shall be discharged to areas at the construction site where structural controls have been established to prevent direct discharge to surface waters, or to areas that have a minimal slope that allow infiltration and filtering of wash-out water to prevent direct discharge to surface waters. Structural controls may consist of temporary berms, temporary shallow pits, temporary storage tanks with slow rate release, or other reasonable measures to prevent runoff from the construction site.
- Wash out of concrete trucks during rainfall events shall be minimized, and the operator shall ensure that its BMPs are sufficient to prevent the discharge of concrete truck wash-out as the result of rain. The direct

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discharge of concrete truck wash-out water to surface water in the state, including discharge to storm sewers, is prohibited at all times.

- The discharge of wash-out water shall not cause or contribute to groundwater contamination.
- Concrete truck wash-out water and residual concrete may be directed into the open sewer trench as long as groundwater is not present.
- Additional concrete truck wash-out pits may be added as construction conditions require.

4. HAZARDOUS SUBSTANCES AND HAZARDOUS WASTE

- Hazardous waste materials will be disposed of in the manner specified by local, state, and/or federal regulations and by the manufacturer of such products. Site personnel will be instructed in these practices by the job site superintendent, who will also be responsible for seeing that these practices are followed. Each employee who must handle a substance with hazardous properties will be instructed on the use of the product he/she is using, particularly regarding spill control techniques.
- The contractor will implement the Spill Prevention Control and Countermeasures (SPCC) Plan found within this SWP3 and will train all personnel in the proper cleanup and handling of spilled materials. No spilled hazardous materials or hazardous wastes will be allowed to come in contact with storm water discharges. If such contact occurs, the storm water discharge will be contained on site until appropriate measures in compliance with state and federal regulations are taken to dispose of such contaminated storm water. It shall be the responsibility of the job site superintendent to properly train all personnel in the use of the SPCC plan.

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- Any spills of hazardous materials which are in quantities in excess of Reportable Quantities as defined by TCEQ regulations shall be immediately reported to the TCEQ National Response Center 1-800-832-8224.
- In order to minimize the potential for a spill of hazardous materials to come into contact with storm water, the following steps will be implemented:
 - a. All materials with hazardous properties (such as pesticides, petroleum products, fertilizers, detergents, construction chemicals, acids, paints, paint solvents, cleaning solvents, additives for soil stabilization, concrete curing compounds and additives, etc.) will be stored in a secure location, under cover, when not in use.
 - b. The minimum practical quantity of all such materials will be kept on the job site.
 - c. A spill control and containment kit (containing, for example, absorbent material such as kitty litter or sawdust, acid neutralizing powder, brooms, dust pans, mops, rags, gloves, goggles, plastic and metal trash containers, etc.) will be provided at the storage site.
 - d. All of the product in a container will be used before the container is disposed of. All such containers will be triple-rinsed with water prior to disposal. The rinse water used in these containers will be disposed of in a manner in compliance with state and federal regulations and will not be allowed to mix with storm water discharges.
 - e. All products will be stored in and used from the original container with the original product label.
 - f. All products will be used in strict compliance with instructions on the product label.
 - g. The disposal of excess or used products will be in strict compliance with instructions on the product label.

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Storm Water Pollution Prevention Plan

D. STATE, TRIBAL, OR LOCAL CONTROLS

The site is not located over the Edwards Aquifer Contributing Zone or Recharge Zone.

The site is not located on Native American Tribal lands.

Except as noted herein, there are no other known applicable state, tribal, or local storm water pollution prevention control requirements for construction projects at this location.

All activities during construction shall comply with state and local sanitary sewer, septic system, and waste disposal regulations.

Trees, limbs, leaves, brush, and vegetation from clearing operations shall be removed from the site and disposed of off site in accordance with applicable regulations.

Excavation spoils which will not be reused on this construction project shall be disposed of off site at an approved location in accordance with applicable regulations.

III. MAINTENANCE

Structural controls shall be inspected as stipulated in this plan. Structural units shall be maintained to perform the function as intended until all soil disturbing activities 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 in all unpaved areas and areas not covered by

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permanent structures, or equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed.

When a sediment control structure deteriorates to a condition so that its performance is less than intended, the structure shall be repaired or replaced to full function as specified before the next anticipated storm event or as necessary to maintain the continued effectiveness of storm water controls. If maintenance prior to the next anticipated storm event is impracticable, the reason shall be documented in the SWP3 and maintenance must be scheduled and accomplished as soon as practicable.

Erosion and sediment controls that have been intentionally disabled, run over, removed, or otherwise rendered ineffective must be replaced or corrected immediately upon discovery. Controls which have been used incorrectly, are performing inadequately, or are damaged must be replaced or modified as soon as possible after discovery of the deficiency.

Particular attention should be paid to the sedimentation areas behind the rock berms and silt fences. When the sediment has accumulated to six inches or more behind a rock berm or silt fence, (from construction debris, tree trimming, trash, municipal type garbage, etc.) it will be removed and the rock berms and silt fences will be restored to their original specifications. Contaminated sediment removed from containment areas (vehicle maintenance, concrete wash-out pits, etc.) shall be either used on site if suitable for fill material or disposed of off site in accordance with appropriate regulations. If sediment escapes the site, the permittee must work with the downgradient property owner to remove the sediment as soon as possible.

Exhibit 6, Sheet 2 of 2 lists the various major components of this pollution prevention plan and identifies the party responsible for its function, maintenance, and inspections.

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Storm Water Pollution Prevention Plan

IV. INSPECTIONS

Designated and qualified person(s) shall inspect Pollution Control Measures every fourteen days and within twenty-four (24) hours after a storm event greater than 0.5 inches of rainfall at the project site. As an alternative, inspections may be scheduled at least once every seven (7) calendar days. The inspection must occur on a specifically defined day, regardless of whether or not there has been a rainfall event since the previous inspection. The inspections may occur on either schedule provided that the SWP3 reflects the current schedule and that any changes to the schedule are conducted in accordance with the following provisions: the schedule may be changed a maximum of one time each month, the schedule change must be implemented at the beginning of a calendar month, and the reason for the schedule change must be documented in the Inspection Record section of the SWP3. In the event of flooding or other uncontrollable situations which prohibit access to the inspection sites, inspections must be conducted as soon as access is practicable. Where sites have been finally or temporarily stabilized, inspections must be conducted at least once every month.

Linear projects (e.g. utility line installation, pipeline, construction, etc.) may schedule representative inspections. For representative inspections, personnel must inspect controls along the construction site for 0.25 mile above and below each access point where a roadway, undisturbed right-of-way, or other similar feature intersects the construction site and allows access to the site.

An inspection report that summarizes the scope of the inspection, names and qualifications of personnel conducting the inspection, date of the inspection, major observations, and actions taken as a result of the inspection shall be recorded and maintained as part of Storm Water TPDES data for a period of three years after the Notice of Termination (NOT) has been filed. Major observations should include:

- Locations of discharges of sediment or other pollutants from the site;

MEDINA RIVER SEWER OUTFALL: SEGMENT 5 (SAWS JOB #12-2505) Storm Water Pollution Prevention Plan

- Locations of BMPs that need to be maintained;
- Locations of BMPs that failed to operate as designed or proved inadequate; and
- Locations where additional BMPs are needed.

A copy of the Inspection Report Form is provided in the "Inspection Record" section of this SWP3.

As a minimum, the inspector shall observe:

- significant disturbed areas for evidence of erosion;
- storage areas for evidence of leakage from the exposed stored materials;
- discharge locations for signs of erosion or sediment;
- structural controls (rock berm outlets, silt fences, tri-dikes, straw wattles, etc.) for evidence of failure or excess siltation (over 6 inches deep);
- vehicle exit point for evidence of off-site sediment tracking;
- vehicle storage areas for signs of leaking equipment or spills;
- concrete truck wash-out pit for signs of potential failure; and
- general site cleanliness.

Deficiencies noted during the inspection will be corrected and documented within seven (7) calendar days following the inspection or before the next anticipated storm event if practicable.

When an inspection does not identify any incident of non-compliance, the report must contain a certification signed in accordance with 30 TAC §305.128 stating the site is in compliance with the SWP3 and the TPDES general permit conditions.

Exhibit 6, sheet 2 of 2 lists the various major components of this pollution prevention plan and identifies the party responsible for its function, maintenance, and inspection.

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Storm Water Pollution Prevention Plan

V. CONSTRUCTION SUPPORT ACTIVITIES

Examples of construction support activities include, but are not limited to, concrete batch plants, rock crushers, asphalt batch plants, equipment staging areas, material storage yards, material borrow areas, and excavated material disposal areas. Discharges of storm water runoff from construction support activities may be authorized under this general permit, provided that the following conditions are met:

- a. the activities are located within one (1)-mile from the boundary of the permitted construction site and directly support the construction activity.
- b. a SWP3 is developed according to the provisions of this general permit and includes appropriate controls and measures to reduce erosion and discharge of pollutants in storm water runoff from the construction support activities; and
- c. the construction support activities either do not operate beyond the completion date of the construction activity or are authorized under separate TPDES authorization. Separate TPDES authorization may include the TPDES Multi Sector General Permit, TXR050000 (related to storm water discharges associated with industrial activity), separate authorization under this general permit if applicable, coverage under an alternative general permit if available, or authorization under an individual water quality permit.

VI. NON-STORM WATER DISCHARGES

Storm water discharges from this construction site may be intermittently mixed with the following non-storm water discharges:

- discharges from fire fighting activities (fire fighting activities do not include washing of trucks, runoff water from training activities, test water from fire suppression systems and similar activities);
- 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), which include flushings from systems that utilize

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Storm Water Pollution Prevention Plan

potable water, surface water, or groundwater that does not contain additional pollutants (uncontaminated fire hydrant flushings do not include systems utilizing reclaimed wastewater as a source water);

- water from the routine external washing of vehicles, external portion of buildings or structures, and pavement;
- discharges where detergents and soaps are not used;
- discharges where spills or leaks of toxic or hazardous materials have not occurred (unless spilled materials have been removed; and if local state, or federal regulations are applicable, the materials are removed according to those regulations);
- discharges where pressure washing is not conducted, and where the purpose is to remove mud, dirt, or dust;
- uncontaminated water used to control dust;
- potable water sources including waterline flushings (excluding discharges of hyperchlorinated water, unless the water is first dechlorinated and discharges are not expected to adversely affect aquatic life);
- uncontaminated air conditioning condensate;
- uncontaminated ground water or spring water, including foundation or footing drains where flows are not contaminated with industrial materials such as solvents;
- lawn watering and similar irrigation drainage; and
- any discharge authorized under a separate NPDES, TPDES, or TCEQ permit may also be combined with storm water discharges from this construction site.

The above non-storm water components would exit the site via the storm water drainage paths and would be subject to the same filtering and sedimentation control provided by the vegetated drainage channels and structural controls used for storm water runoff. Other non-storm water discharges are not anticipated from the construction of this project.

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VII. SPILL PREVENTION CONTROL AND COUNTERMEASURES (SPCC) PLAN

A. MATERIALS COVERED

The following materials or substances with known hazardous properties are expected to be present on site during construction:

- | | |
|------------------------------|--------------------------|
| Concrete | Cleaning solvents |
| Detergents | Petroleum based products |
| Paints | Pesticides |
| Paint solvents | Acids |
| Fertilizers | Concrete additives |
| Soil stabilization additives | |

B. MATERIAL MANAGEMENT PRACTICES

The following are the material management practices that will be used to reduce the risk of spills or other accidental exposure of materials and substances to storm water runoff:

- Personnel will be trained in the proper storage, use, and disposal of on-site materials;
- Materials will be stored in areas identified for that purpose and containment will be provided;
- Materials will be secured to prevent unauthorized use or vandalism;
- Material storage will be limited to reasonable quantities; and
- Waste materials will be collected in receptacles designed for the purpose and disposed of off site in accordance with applicable regulations.

C. GOOD HOUSEKEEPING

The following good housekeeping practices will be followed on site during the construction project.

- An effort will be made to store only enough product required to do the job;

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- All materials stored on site will be stored in a neat, orderly manner and, if possible, under the roof or other enclosure;
- Products will be kept in their original containers with the original manufacturer's label in legible condition;
- Substances will not be mixed with one another unless recommended by the manufacturer;
- Whenever possible, all of a product will be used up before disposing of the container;
- Manufacturer's recommendations for proper use and disposal will be followed; and
- The job site superintendent will be responsible to ensure proper use and disposal of materials.

D. HAZARDOUS PRODUCTS

These practices will be used to reduce the risk associated with hazardous materials.

- Products will be kept in original containers with the original labels in legible condition;
- Original labels and material safety data sheets (MSDS's) will be procured and used for each material;
- If surplus product must be disposed of, manufacturers or local/state/federal recommended methods for proper disposal will be followed;
- A spill control and containment kit (containing, for example, absorbent materials such as kitty litter or sawdust, acid neutralizing powder, brooms, dust pans, mops, rags, gloves, goggles, plastic and metal trash containers, etc.) will be provided at the storage site; and
- All of the product in a container will be used before the container is disposed of. All such containers will be triple-rinsed with water prior to disposal. The

MEDINA RIVER SEWER OUTFALL: SEGMENT 5 (SAWS JOB #12-2505)

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rinse water used in these containers will be disposed of in a manner in compliance with state and federal regulations and will not be allowed to mix with storm water discharges.

E. PRODUCT SPECIFIC PRACTICES

The following product specific practices will be followed on the job site.

1. PETROLEUM PRODUCTS

All on-site vehicles will be monitored for leaks and receive regular preventative maintenance to reduce the chance of leakage. Petroleum products will be stored in tightly sealed containers which are clearly labeled. Any petroleum storage tanks used on site will have a dike or berm containment structure constructed around it to contain any spills which may occur. Any asphalt substances used on site will be applied according to the manufacturer's recommendations.

2. FERTILIZER

Fertilizers will be applied only in the minimum amounts recommended by the manufacturer. Once applied, fertilizer will be worked in the soil to limit exposure to storm water. The contents of any partially used bags of fertilizer will be transferred to a sealable plastic bin to avoid spills.

3. PAINTS, PAINT SOLVENTS, AND CLEANING SOLVENTS

All containers will be tightly sealed and stored when not in use. Excess paint and solvent will not be discharged to the storm sewer system but will be properly disposed of according to manufacturer's instructions or state and federal regulations.

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Storm Water Pollution Prevention Plan

4. CONCRETE TRUCKS

TXR150000 authorizes the land disposal of wash-out water from concrete trucks that are associated with off-site production facilities, as long as the discharge is in compliance with the restrictions of this SWP3. Wash-out water associated with on-site concrete production facilities is not authorized by the TXR150000 General Permit and must be authorized under a separate TCEQ General Permit or individual permit. Direct discharge of concrete truck wash-out water to surface waters in the state, including discharge to storm sewers is prohibited by the TXR150000 General Permit. Wash out of concrete trucks during rainfall events shall be minimized and the operator shall ensure that its BMPs are sufficient to prevent the discharge of concrete truck wash-out as the result of rain. The direct discharge of concrete truck wash-out water to surface water in the state, including discharge to storm sewers, is prohibited by the general permit at all times. The discharge of wash-out water shall not cause or contribute to groundwater contamination.

Concrete trucks will be allowed to wash out or discharge surplus concrete or drum wash water on the site, but only in either specifically designated diked areas which have been prepared to prevent contact between the concrete and wash-out water or storm water which will be discharged from the site; or in locations where waste concrete can be poured into forms to make riprap or other useful concrete products.

The hardened residue from the concrete wash-out diked areas will be disposed of in the same manner as other non-hazardous construction waste materials, or may be broken up and used on site as deemed appropriate by

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the Contractor. The job site superintendent will be responsible for seeing that these procedures are followed.

F. SPILL PREVENTION PRACTICES

In addition to the good housekeeping and material management practices discussed in previous sections of this plan, the following practices will be followed for spill prevention and cleanup.

- Manufacturer's recommended methods for spill cleanup will be clearly posted, and site personnel will be trained regarding these procedures and the location of the information and cleanup supplies.
- Materials and equipment necessary for spill cleanup will be kept in the on-site material storage area in a spill control and containment kit (containing for example, absorbent materials such as kitty litter or sawdust, acid neutralizing powder, brooms, dust pans, mops, rags, gloves, goggles, plastic and metal trash containers, etc.).
- All spills will be cleaned up immediately after discovery.
- The spill area will be kept well ventilated and personnel will wear appropriate protective clothing to prevent injury from contact with the hazardous substances.
- Spills of toxic or hazardous materials will be reported to the appropriate federal, state, and local government agency. Spills of amounts that exceed Reportable Quantities of certain substances specifically mentioned in federal regulations (40 CFR 302) will be immediately reported to the TCEQ National Response Center, telephone 1-800-832-8224. Reportable Quantities of some substances which may be used at the job site are as follows:
 - Oil – appearance of a film or sheen on water
 - Pesticides – usually one (1) pound
 - Acids – 5,000 pounds

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- Solvents, flammable – 100 pounds
- The SPCC plan will be adjusted to include measures on how to prevent this type of spill from recurring. A description of the spill, what caused it, and the cleanup measures will also be included. If the spill exceeds a Reportable Quantity, reports of the incident will be in compliance with federal, state, and local regulations.

The job site superintendent will be the spill prevention and cleanup coordinator. He will designate the individuals responsible for a particular phase of prevention and cleanup.

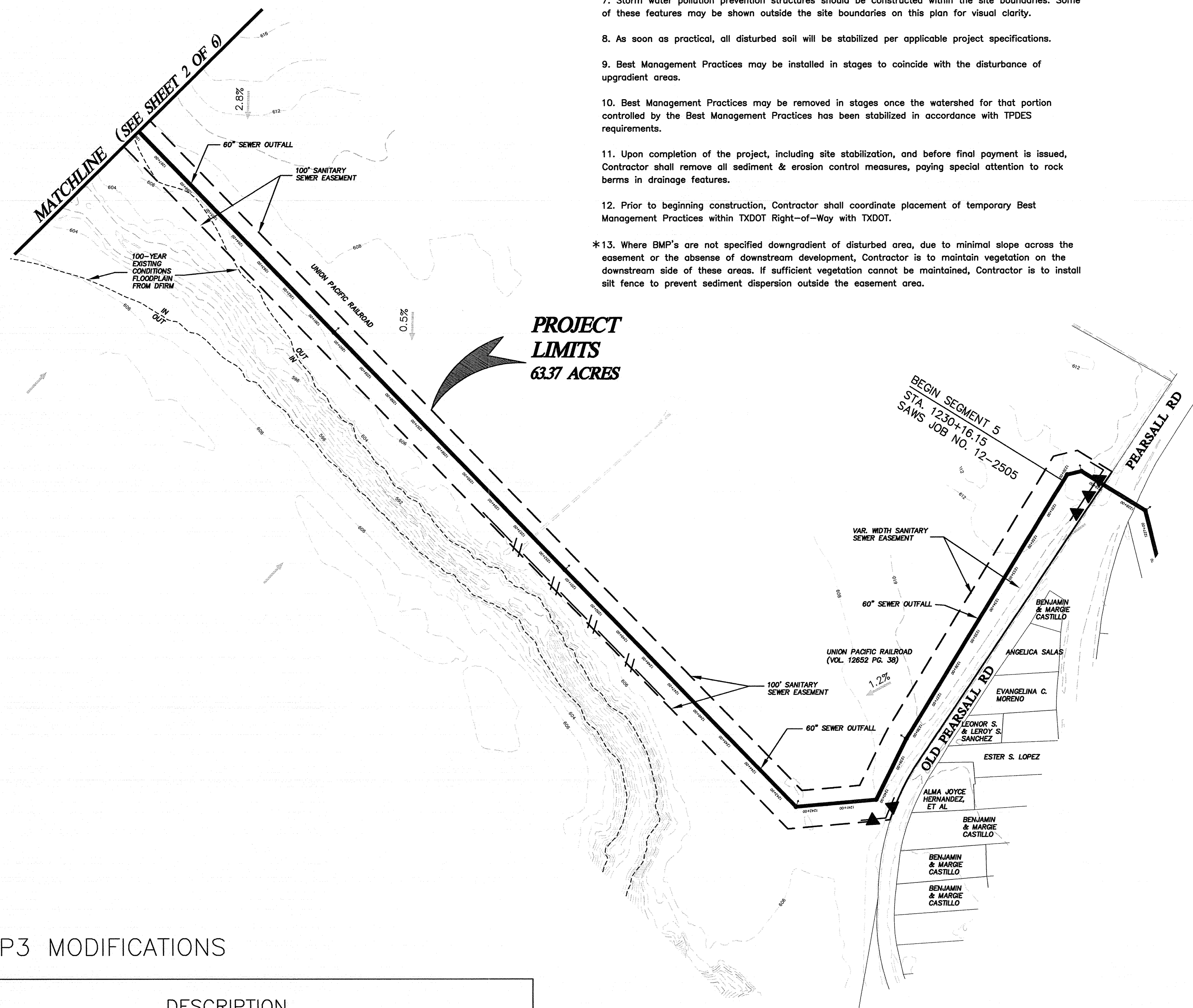
EXHIBITS

ATTACHMENTS

MEDINA RIVER SEWER OUTFALL: SEGMENT 5 (SAWS JOB #12-2505)
Storm Water Pollution Prevention Plan

GENERAL NOTES

- Do not disturb vegetated areas (trees, grass, weeds, brush, etc.) any more than necessary for construction.
 - Construction entrance/exit location, concrete wash-out pit, and construction equipment and material storage yard to be determined in the field.
 - Storm Water Pollution Prevention Controls may need to be modified in the field to accomplish the desired effect. All modifications are to be noted on this Exhibit and signed and dated by the responsible party.
 - Restrict entry/exit to the project site to designated locations by use of adequate fencing, if necessary.
 - All Storm Water Pollution Prevention Controls are to be maintained and in working conditions at all times.
 - For a complete listing of Temporary Storm Water Pollution Prevention Controls refer to the TPDES Storm Water Pollution Prevention Plan.
 - Storm water pollution prevention structures should be constructed within the site boundaries. Some of these features may be shown outside the site boundaries on this plan for visual clarity.
 - As soon as practical, all disturbed soil will be stabilized per applicable project specifications.
 - Best Management Practices may be installed in stages to coincide with the disturbance of upgradient areas.
 - Best Management Practices may be removed in stages once the watershed for that portion controlled by the Best Management Practices has been stabilized in accordance with TPDES requirements.
 - Upon completion of the project, including site stabilization, and before final payment is issued, Contractor shall remove all sediment & erosion control measures, paying special attention to rock berms in drainage features.
 - Prior to beginning construction, Contractor shall coordinate placement of temporary Best Management Practices within TXDOT Right-of-Way with TXDOT.
- *13. Where BMP's are not specified downgradient of disturbed area, due to minimal slope across the easement or the absence of downstream development, Contractor is to maintain vegetation on the downstream side of these areas. If sufficient vegetation cannot be maintained, Contractor is to install silt fence to prevent sediment dispersion outside the easement area.



LEGEND

- PROJECT LIMITS
- - - FLOODPLAIN
- - - EXISTING GRADE
- FLOW ARROW

TEMPORARY STABILIZATION MEASURES

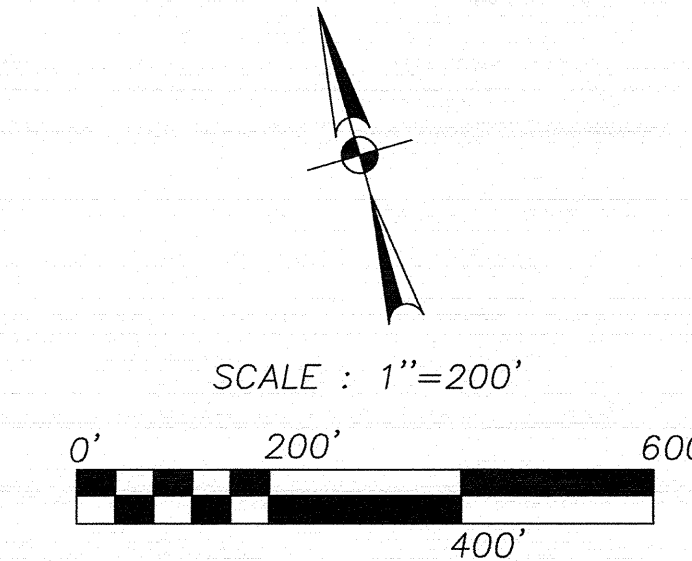
- ||| SILT FENCE
- ▨ SEDIMENT CONTROL WATTLES
- ▲ TRIANGULAR SILT DIKE
- ◆ ROCK BERM
- INLET PROTECTION
- GRAVEL FILTER BAGS
- ▨ STABILIZED CONSTRUCTION ENTRANCE/EXIT (FIELD LOCATE)
- ▨ CONSTRUCTION EQUIPMENT, VEHICLE & MATERIALS STORAGE AREA. (FIELD LOCATE)
- ▨ CONCRETE TRUCK WASH-OUT PIT (FIELD LOCATE)

FINAL STABILIZATION MEASURES

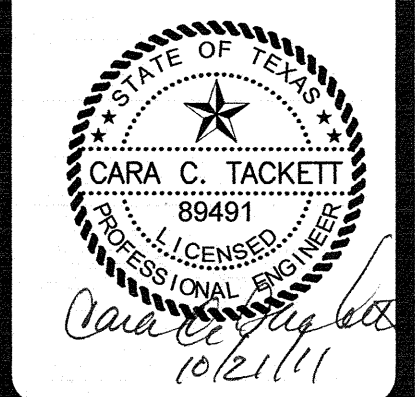
- ▨ HYDROMULCH (REFERENCE PROJECT SPECIFICATIONS)
- ▨ EROSION CONTROL MAT & TACKIFIED HYDROMULCH (REFERENCE PROJECT SPECIFICATIONS)

SWP3 MODIFICATIONS

| DATE | SIGNATURE | DESCRIPTION |
|------|-----------|-------------|
| | | |
| | | |
| | | |
| | | |
| | | |



REVISIONS:
 10-14-09 "BID PACKAGE"
 -CHANGED "SEGMENT"
 TO "SEGMENT"
 -ADDED SLOPES
 -ADDED ELEVATIONS
 -ALIGNMENT REVISED EAST
 OF CANYON ROAD
 -LOCATION MAP UPDATED



PAPE-DAWSON ENGINEERS
 555 EAST RAMSEY | SAN ANTONIO, TEXAS 78216 | PHONE: 210.375.9000
 TEXAS BOARD OF PROFESSIONAL ENGINEERS, FIRM REGISTRATION # 470

**MEDINA RIVER SEWER OUTFALL
 SAN ANTONIO, TEXAS
 SEGMENT 5, SAWS JOB NO. 12-2505
 STORM WATER POLLUTION PREVENTION PLAN**

JOB NO. 6866-00
 DATE NOVEMBER 2009
 DESIGNER MGB
 CHECKED CPE DRAWN JLC
 SHEET 1 of 6

THE ENGINEERING SEAL HAS BEEN AFFIXED TO THIS SHEET ONLY FOR THE PURPOSE OF DEMONSTRATING COMPLIANCE WITH THE TPDES-STORM WATER POLLUTION PREVENTION PLAN (SWP3) REGULATIONS.
 THIS SHEET HAS BEEN PREPARED FOR PURPOSES OF THE SWP3 ONLY. ALL OTHER CIVIL ENGINEERING RELATED INFORMATION SHOULD BE ACQUIRED FROM THE APPROPRIATE SHEET IN THE CIVIL IMPROVEMENT PLANS.
EXHIBIT 2

Date: Oct 29, 2011 9:39am User: ID: 000144
 File: P:\6866\00\Design\Drawings\SWP3\Bldg_Plg_5\TPDES6600-5_E12.dwg
 THIS DOCUMENT HAS BEEN PRODUCED FROM MATERIAL THAT WAS STORED AND/OR TRANSMITTED ELECTRONICALLY AND MAY HAVE BEEN INADVERTENTLY ALTERED. RELY ONLY ON FINAL HARD COPY MATERIALS BEARING THE CONSULTANT'S ORIGINAL SIGNATURE AND SEAL.

GENERAL NOTES

- Do not disturb vegetated areas (trees, grass, weeds, brush, etc.) any more than necessary for construction.
- Construction entrance/exit location, concrete wash-out pit, and construction equipment and material storage yard to be determined in the field.
- Storm Water Pollution Prevention Controls may need to be modified in the field to accomplish the desired effect. All modifications are to be noted on this Exhibit and signed and dated by the responsible party.
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- All Storm Water Pollution Prevention Controls are to be maintained and in working conditions at all times.
- For a complete listing of Temporary Storm Water Pollution Prevention Controls refer to the TPDES Storm Water Pollution Prevention Plan.
- Storm water pollution prevention structures should be constructed within the site boundaries. Some of these features may be shown outside the site boundaries on this plan for visual clarity.
- As soon as practical, all disturbed soil will be stabilized per applicable project specifications.
- Best Management Practices may be installed in stages to coincide with the disturbance of upgradient areas.
- Best Management Practices may be removed in stages once the watershed for that portion controlled by the Best Management Practices has been stabilized in accordance with TPDES requirements.
- Upon completion of the project, including site stabilization, and before final payment is issued, Contractor shall remove all sediment & erosion control measures, paying special attention to rock berms in drainage features.
- Prior to beginning construction, Contractor shall coordinate placement of temporary Best Management Practices within TXDOT Right-of-Way with TXDOT.
- Where BMP's are not specified downgradient of disturbed area, due to minimal slope across the easement or the absence of downstream development, Contractor is to maintain vegetation on the downstream side of these areas. If sufficient vegetation cannot be maintained, Contractor is to install silt fence to prevent sediment dispersion outside the easement area.

LEGEND

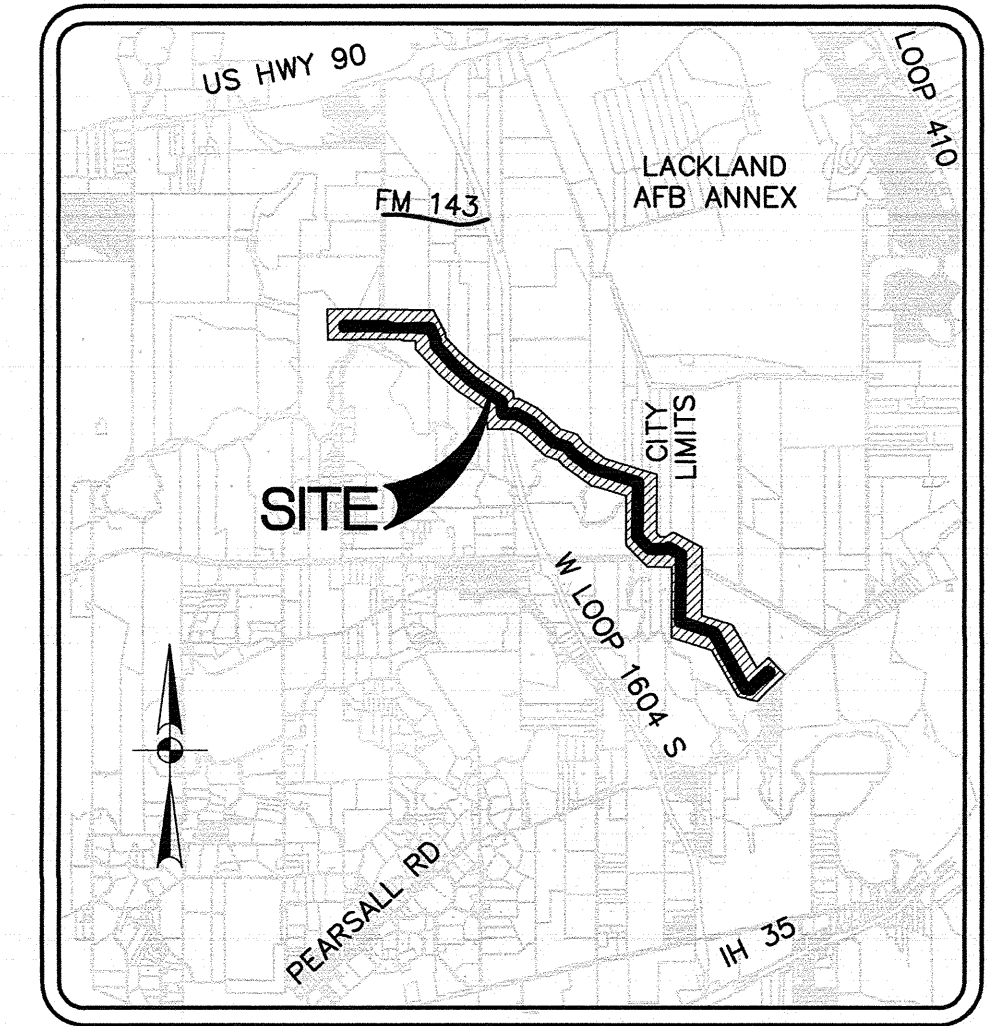
- PROJECT LIMITS
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- EXISTING GRADE
- FLOW ARROW

TEMPORARY STABILIZATION MEASURES

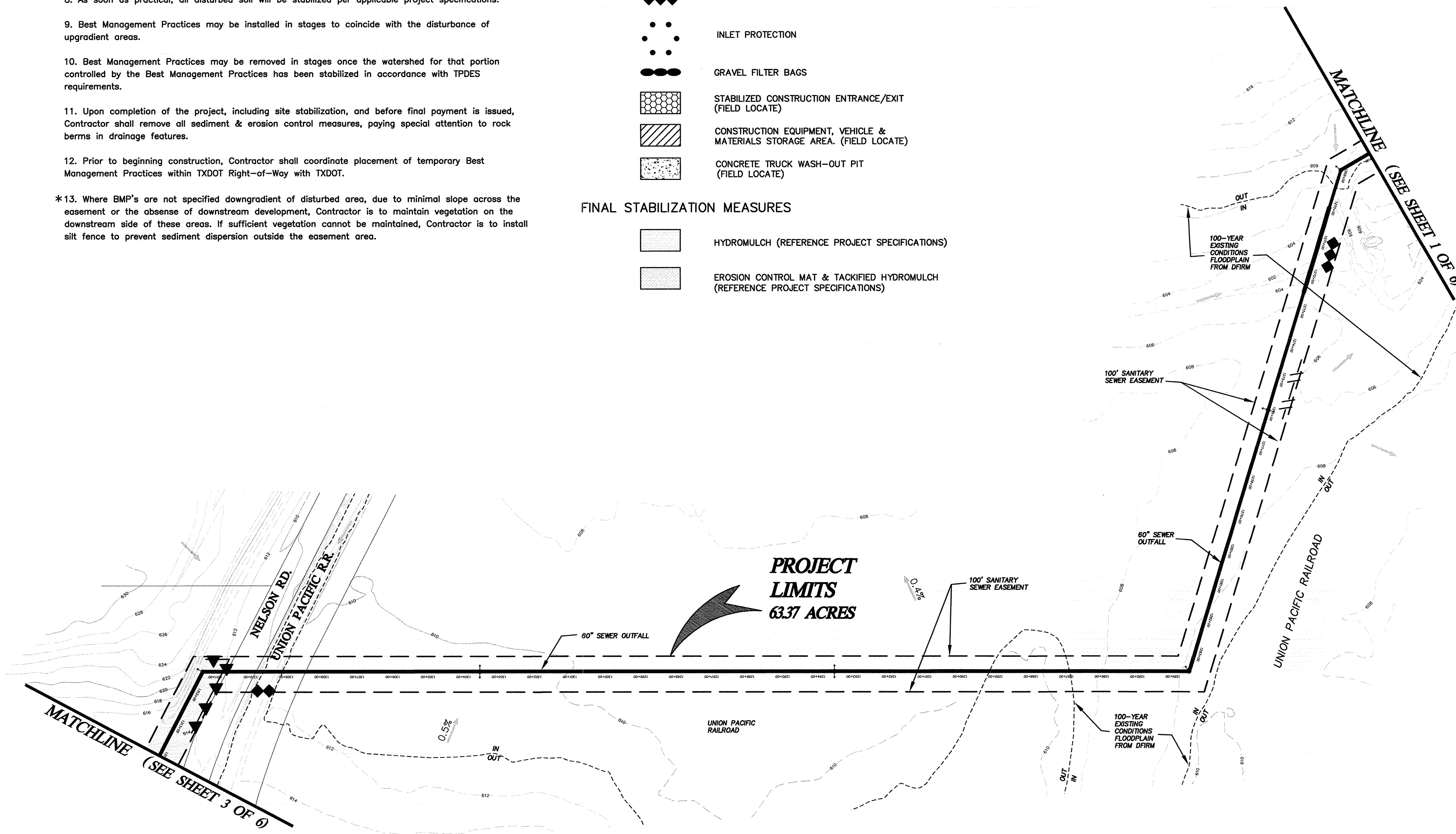
- SILT FENCE
- SEDIMENT CONTROL WATTLES
- TRIANGULAR SILT DIKE
- ROCK BERM
- INLET PROTECTION
- GRAVEL FILTER BAGS
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- CONCRETE TRUCK WASH-OUT PIT (FIELD LOCATE)

FINAL STABILIZATION MEASURES

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- EROSION CONTROL MAT & TACKIFIED HYDROMULCH (REFERENCE PROJECT SPECIFICATIONS)

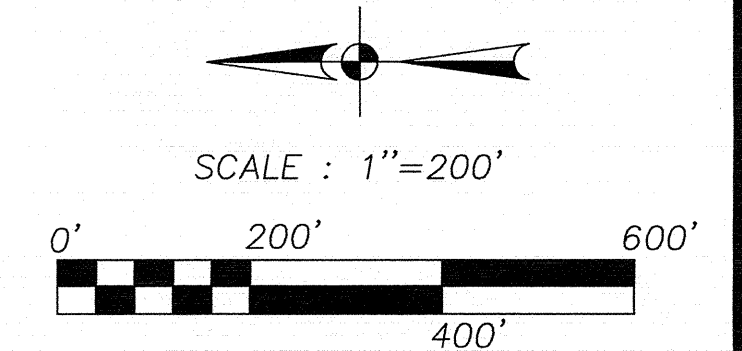


LOCATION MAP
NTS



SWP3 MODIFICATIONS

| DATE | SIGNATURE | DESCRIPTION |
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EXHIBIT 2

REVISIONS:
10-14-2011
-CHANGED "BID PACKAGE" TO "SEGMENT"
-ADDED SLOPES
-ALIGNMENT REVERSED EAST OF CAGNON ROAD
-LOCATION MAP UPDATED



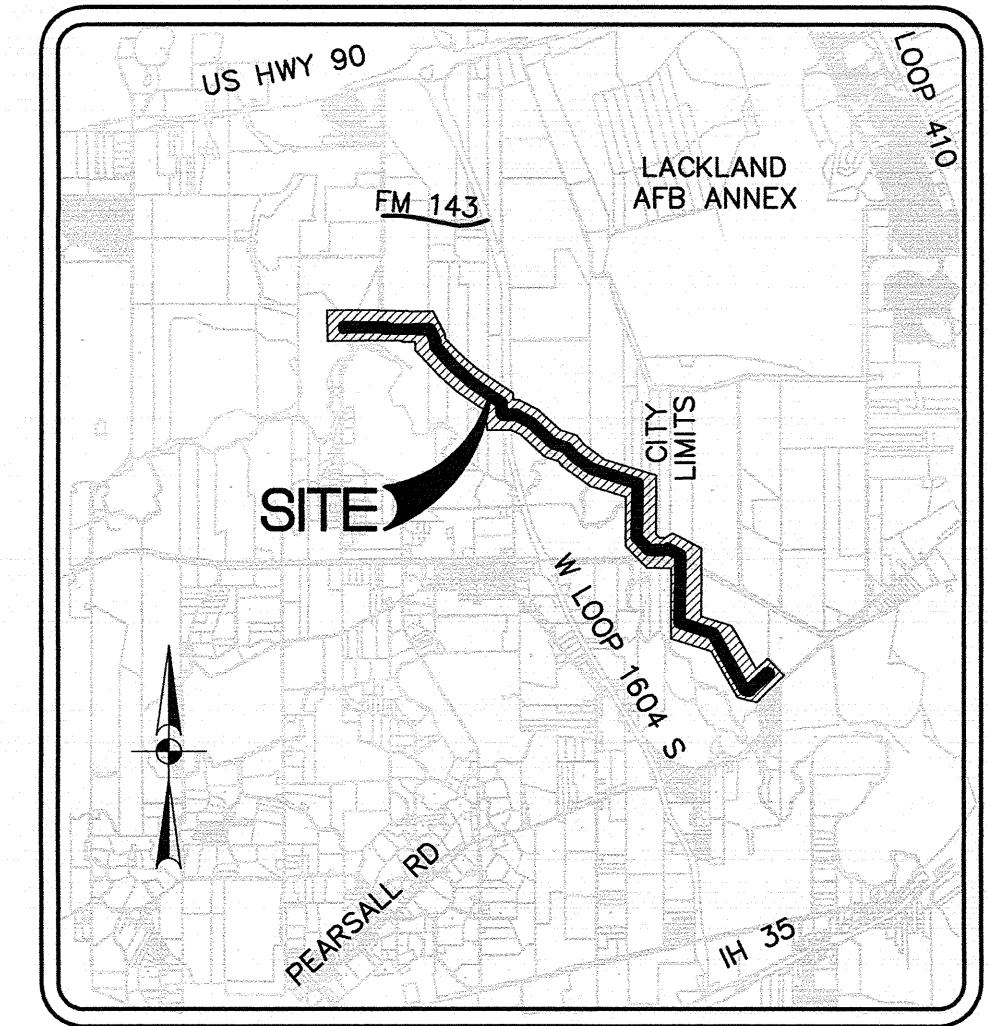
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**MEDINA RIVER SEWER OUTFALL
SAN ANTONIO, TEXAS
SEGMENT 5, SAWS JOB NO. 12-2505
STORM WATER POLLUTION PREVENTION PLAN**

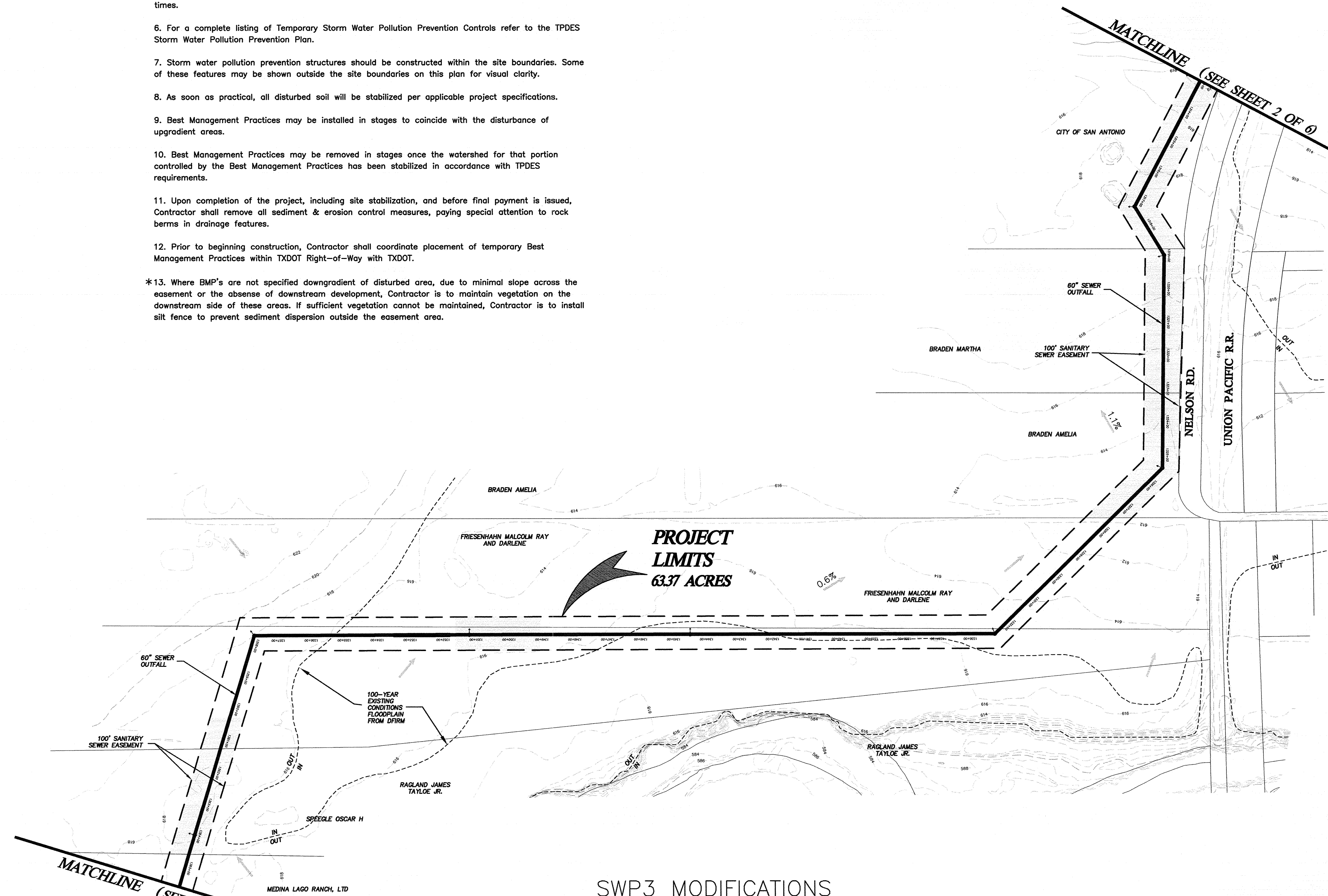
JOB NO. 6866-00
DATE NOVEMBER 2009
DESIGNER MGB
CHECKED CPE DRAWN JLC
SHEET 2 of 6

GENERAL NOTES

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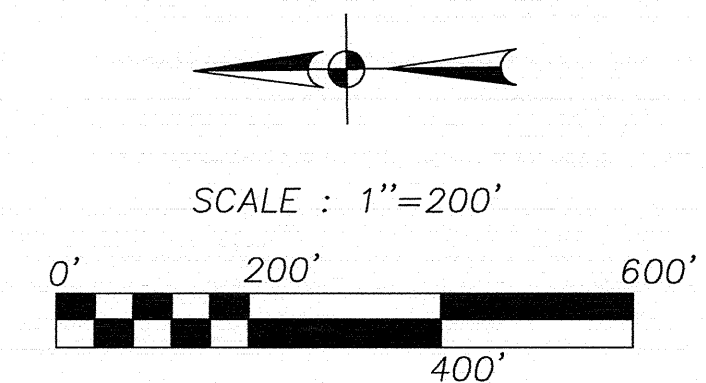
LOCATION MAP
NTS



LEGEND

- PROJECT LIMITS
- FLOODPLAIN
- EXISTING GRADE
- FLOW ARROW
- TEMPORARY STABILIZATION MEASURES
 - SILT FENCE
 - SEDIMENT CONTROL WATTLES
 - TRIANGULAR SILT DIKE
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REVISIONS:
10-14-2011
-CHANGED "BID PACKAGE" TO "SEGMENT"
-ADDED SLOPES
-ALIGNMENT REVISED EAST OF CAGNON ROAD
-LOCATION MAP UPDATED



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**MEDINA RIVER SEWER OUTFALL
SAN ANTONIO, TEXAS
SEGMENT 5, SAWS JOB NO. 12-2505
STORM WATER POLLUTION PREVENTION PLAN**

JOB NO. 6866-00
DATE NOVEMBER 2009
DESIGNER MGB
CHECKED CPE DRAWN JLC
SHEET 3 of 6

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EXHIBIT 2

Date: Oct 20, 2011 9:35am User: ID: 80914442
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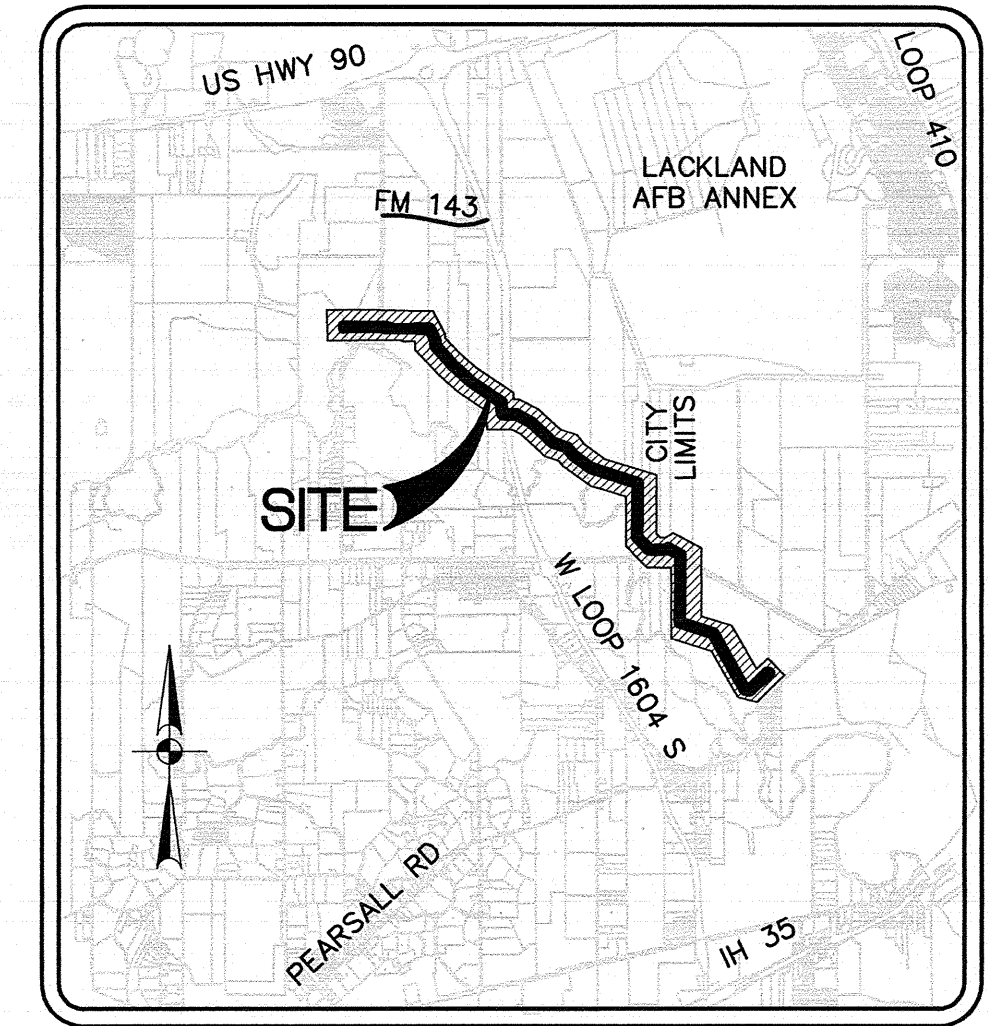
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GENERAL NOTES

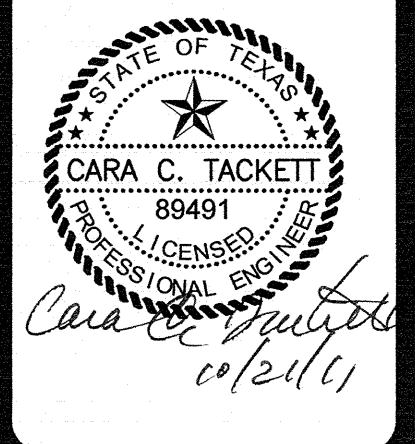
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LEGEND

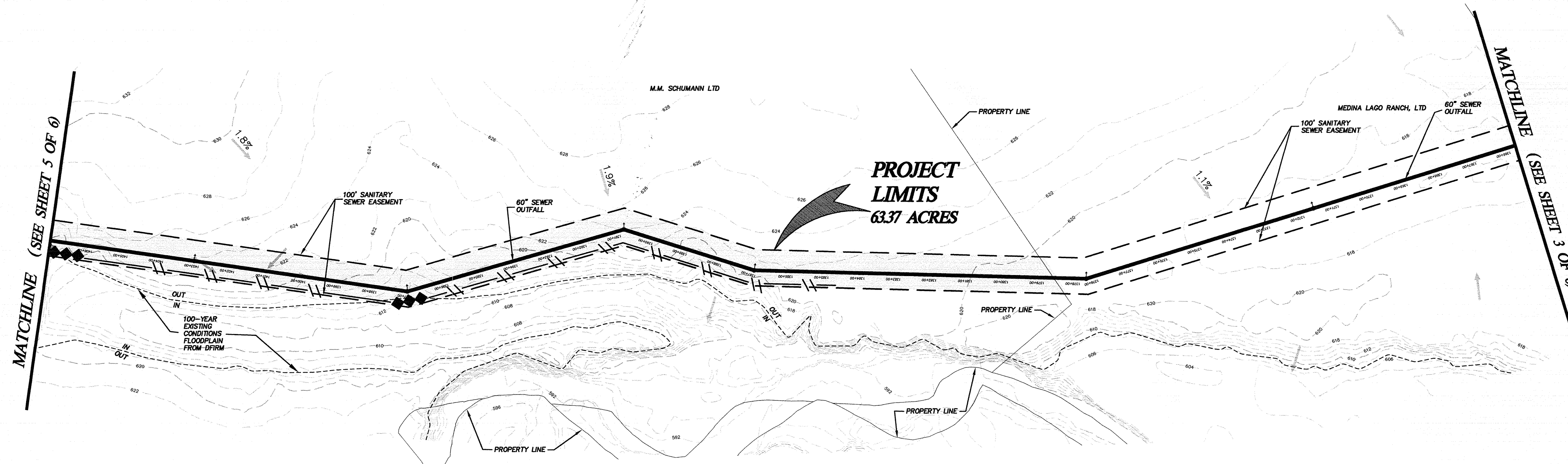
- PROJECT LIMITS
 - - - FLOODPLAIN
 - - - 976 EXISTING GRADE
 - FLOW ARROW
- TEMPORARY STABILIZATION MEASURES**
- SILT FENCE
 - ▨ SEDIMENT CONTROL WATTLES
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REVISIONS:
 10-14-09
 -CHANGED "BID PACKAGE" TO "SEGMENT"
 -ADDED SLOPES
 -ALIGNMENT REVERSED EAST OF CANYON ROAD
 -LOCATION MAP UPDATED

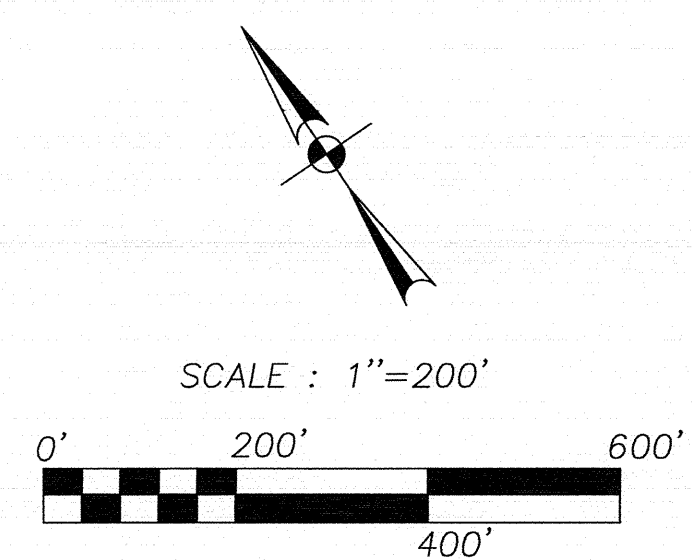


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SWP3 MODIFICATIONS

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EXHIBIT 2

JOB NO. 6866-00
 DATE NOVEMBER 2009
 DESIGNER MGB
 CHECKED CPE DRAWN JLC
 SHEET 4 of 6

Date: Oct 29, 2011 2:27pm User: J.C. Tackett
 File: P:\6866\6866\Design\Drawings\SWP3\Bldg_Plan_5\TPDES6866-5_E12.dwg
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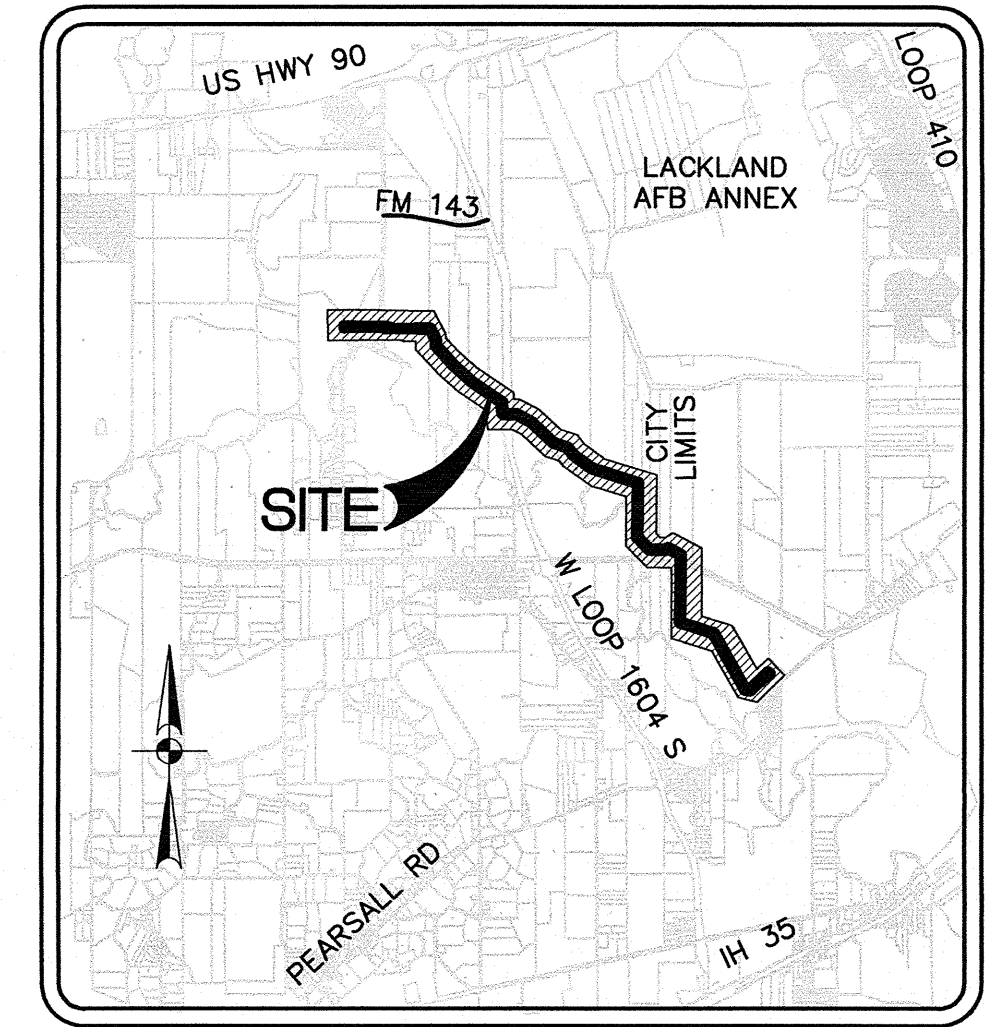
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GENERAL NOTES

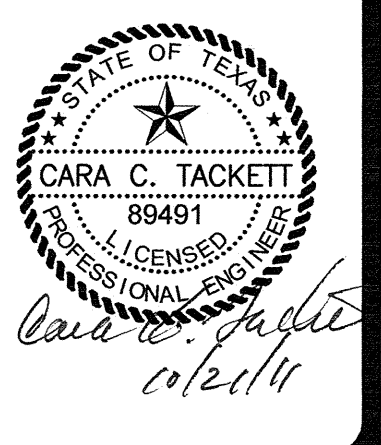
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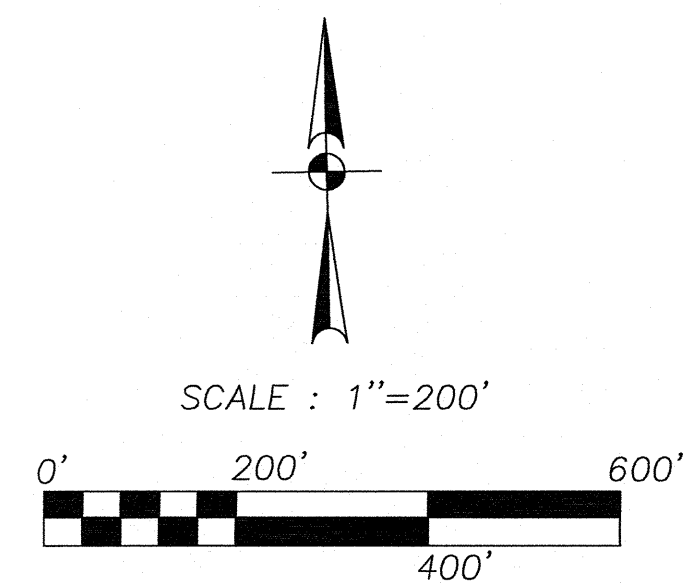
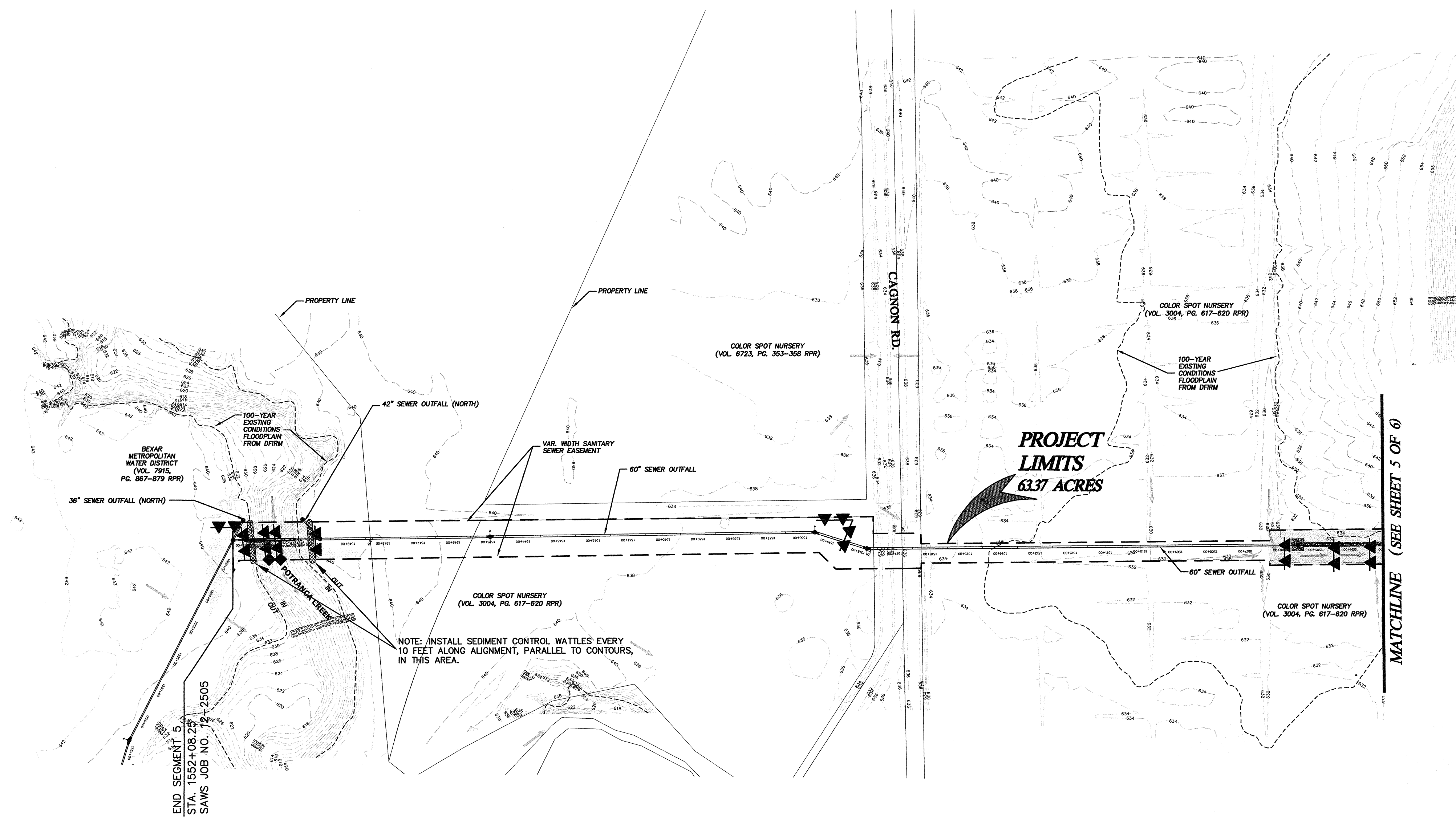
REVISIONS:
 10-14-2011
 -CHANGED "BID PACKAGE"
 TO "SEGMENT"
 -ADDED SLOPES
 -ALIGNMENT REVERSED EAST
 OF CAGNON ROAD
 -LOCATION MAP UPDATED



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**MEDINA RIVER SEWER OUTFALL
 SAN ANTONIO, TEXAS
 SEGMENT 5, SAWS JOB NO. 12-2505
 STORM WATER POLLUTION PREVENTION PLAN**

JOB NO. 6866-00
 DATE NOVEMBER 2009
 DESIGNER MGB
 CHECKED CPE DRAWN JLC
 SHEET 6 of 6



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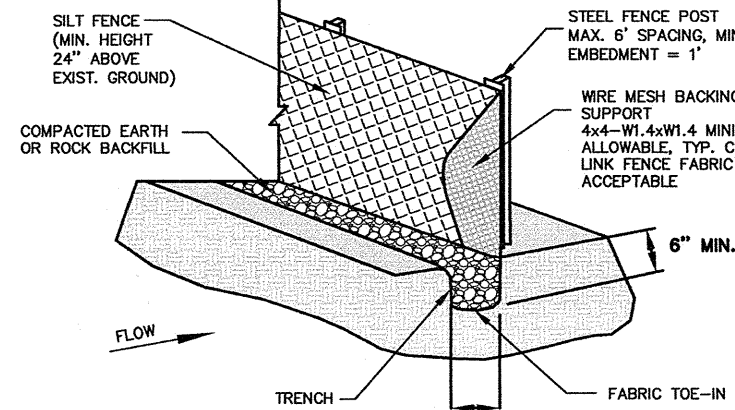
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SILT FENCE

A silt fence is a barrier consisting of geotextile fabric supported by metal posts to prevent soil and sediment loss from a site. When properly used, silt fences can be highly effective at controlling sediment from disturbed areas. They cause runoff to pond, allowing heavier solids to settle out. If not properly installed, silt fences are not likely to be effective.

The purpose of a silt fence is to intercept and detain water-borne sediment from unprotected areas of a limited extent. Silt fence is used during the period of construction near the perimeter of a disturbed area to intercept sediment while allowing water to percolate through. This fence should remain in place until the disturbed area is permanently stabilized. Silt fence should not be used where there is a concentration of water in a channel or drainage way. If concentrated flow occurs after installation, corrective action must be taken such as placing a rock berm in the areas of concentrated flow.

Silt fencing within the site may be temporarily moved during the day to allow construction activity provided it is replaced and properly anchored to the ground at the end of the day. Silt fences on the perimeter of the site or around drainage ways should not be moved at any time.



ISOMETRIC PLAN VIEW

N.T.S.

Schematic of a Silt Fence Installation (NCTCOG, 1993b)

MATERIALS:

- (1) Silt fence material should be polypropylene, polyethylene, or polyamide woven or nonwoven fabric. The fabric should be 36 inches, with a minimum unit weight of 4.5 oz/yd, mullen burst strength exceeding 190 lb/in², ultraviolet stability exceeding 70%, and minimum apparent opening size U.S. sieve No.30
- (2) Fence posts should be made of hot rolled steel, at least 4 feet long with tee or Y-bar cross section, surface painted or galvanized, minimum weight 1.25 lb/ft, and brinell hardness exceeding 140.
- (3) Woven wire backing to support the fabric should be galvanized 2" x 4" welded wire, 12 gauge minimum

INSTALLATION:

- (1) Steel posts, which support the silt fence, should be installed on a slight angle toward the anticipated runoff source. Posts must be embedded a minimum of 1-foot permanently and spaced not more than 6 feet, on center. Where water concentrates, the maximum spacing should be 6 feet.
- (2) Lay out fencing down-slope of disturbed area, following the contour as closely as possible. The fence should be sited so that the maximum drainage area is 1/4 acre/100 feet of fence.
- (3) The toe of the silt fence should be trenched in with a spade or mechanical trencher, so that the down-slope face of the trench is flat and perpendicular to the line of flow. Where fence cannot be trenched in (e.g., pavement or rock outcrop), weight fabric flap with 3 inches of pea gravel on uphill side to prevent flow from seeping under fence.
- (4) The trench must be a minimum of 6 inches deep and 6 inches wide to allow for the silt fence fabric to be laid in the ground and backfilled with compacted material.
- (5) Silt fence should be securely fastened to each steel support post, or to woven wire, which in turn attached to the steel fence post. There should be a 3-foot overlap, securely fastened where ends of fabric meet.
- (6) Silt fence should be removed when the site is completely stabilized so as not to block or impede storm flow or drainage.

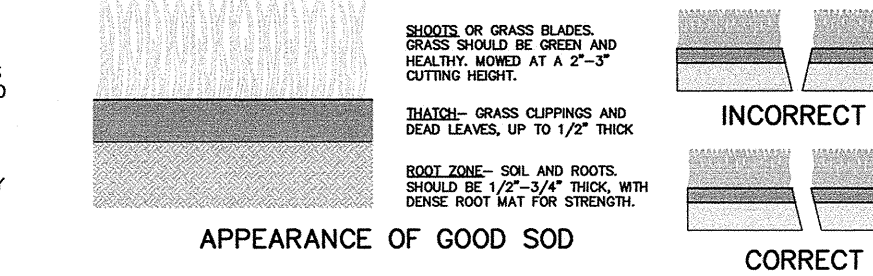
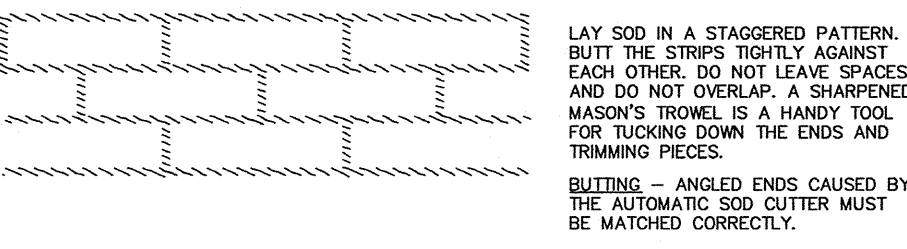
COMMON TROUBLE POINTS:

- (1) Fence not installed along the contour causing water to concentrate and flow over the fence.
- (2) Fabric not seated securely to ground (runoff passing under fence).
- (3) Fence not installed perpendicular to flow line (runoff escaping around sides).
- (4) Fence treating too large an area, or excessive channel flow (runoff overtops or collapses fence).

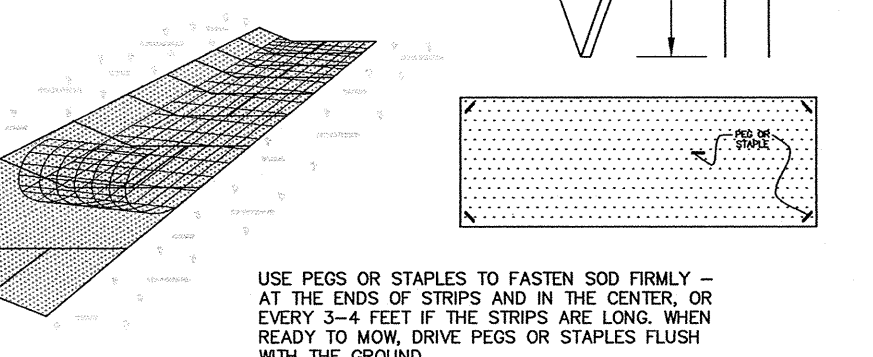
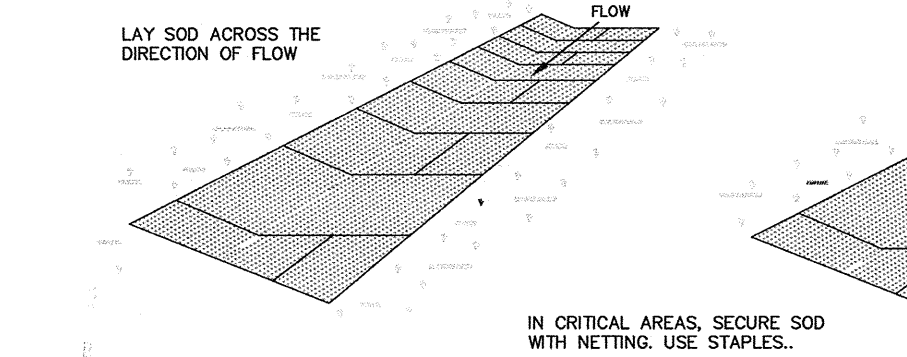
INSPECTION AND MAINTENANCE GUIDELINES:

- (1) Inspect all fencing weekly, and after rainfall.
- (2) Remove sediment when buildup reaches 6 inches.
- (3) Replace torn fabric or install a second line of fencing parallel to the torn section.
- (4) Replace or repair sections crushed or collapsed in the course of construction activity. If a section of fence is obstructing vehicular access, consider relocating it to a spot where it will provide equal protection, but will not obstruct vehicles. A triangular filter dike may be preferable to a silt fence at common vehicle access points.
- (5) When construction is complete, the sediment should be disposed of in a manner that will not cause additional siltation and the prior location of the silt fence should be revegetated. The fence itself should be disposed of in an approved landfill.

SILT FENCE



APPEARANCE OF GOOD SOD



Materials:

- (1) Sod should be machine cut at a uniform soil thickness of 3/4" inch (± 1/4" inch) at the time of cutting. This thickness should exclude shoot growth and thatch.
- (2) Pieces of sod should be cut to the supplier's standard width and length, with a maximum allowable deviation in any dimension of 5%. Torn or uneven pads should not be acceptable.
- (3) Standard size sections of sod should be strong enough to support their own weight and retain their size and shape when suspended from a firm grasp on one end of the section.
- (4) Sod should be harvested, delivered, and installed within a period of 36 hours.

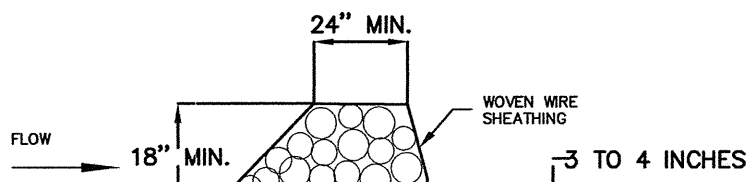
Site Preparation:

- (1) Prior to sod preparation, areas to be sodded should be brought to final grade in accordance with the approved plan.
- (2) The surface should be cleared of all trash, debris and of all roots, brush, wire, grade stakes and other objects that would interfere with planting, fertilizing or maintenance operations.
- (3) Fertilize according to soil tests. Fertilizer needs can be determined by a soil testing laboratory or regional recommendations can be made by county agricultural extension agents. Fertilizer should be worked into the soil to a depth of 3 inches with a disc, springtooth harrow or other suitable equipment. On sloping land, the final harrowing or discing operation should be on the contour.

Installation in Channels:

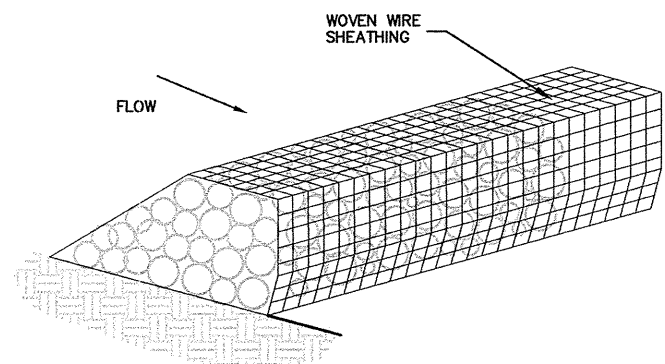
- (1) Sod strips in waterways should be laid perpendicular to the direction of flow. Care should be taken to butt ends of strips tightly (see Figure above).
- (2) After rolling or tamping, sod should be pegged or stapled to resist washout during the establishment period. Mesh or other netting may be pegged over the sod for extra protection in critical areas.

SOD INSTALLATION



CROSS SECTION

N.T.S.



ISOMETRIC PLAN VIEW

N.T.S.

Schematic Diagram of a Rock Berm (NCTCOG, 1993)

ROCK BERMS

The purpose of a rock berm is to serve as a check dam in areas of concentrated flow, to intercept sediment-laden runoff, detain the sediment and release the water in sheet flow. The rock berm should be used when the contributing drainage area is less than 5 acres. Rock berms are used in areas where the volume of runoff is too great for a silt fence to contain. They are less effective for sediment removal than silt fences, particularly for fine particles, but are able to withstand higher flows than a silt fence. As such, rock berms are often used in areas of channel flows (ditches, gullies, etc.). Rock berms are most effective at reducing bed load in channels and should not be substituted for other erosion and sediment control measures farther up the watershed.

MATERIALS:

- (1) The berm structure should be secured with a woven wire sheathing having maximum opening of 1 inch and a minimum wire diameter of 20 gauge galvanized and should be secured with short rings.
- (2) Clean, open graded 3- to 5-inch diameter rock should be used, except in areas where high velocities or large volumes of flow are expected, where 5- to 8-inch diameter rocks may be used.

INSTALLATION:

- (1) Lay out the woven wire sheathing perpendicular to the flow line. The sheathing should be 20 gauge woven wire mesh with 1 inch openings.
- (2) Berm should have a top width of 2 feet minimum with side slopes being 2:1 (H:V) or flatter.
- (3) Place the rock along the sheathing as shown in the diagram to a height not less than 18".
- (4) Wrap the wire sheathing around the rock and secure with tie wire so that the ends of the sheathing overlap at least 2 inches, and the berm retains its shape when walked upon.
- (5) Berm should be built along the contour at zero percent grade or as near as possible.
- (6) The ends of the berm should be tied into existing upslope grade and the berm should be buried in a trench approximately 3 to 4 inches deep to prevent failure of the control.

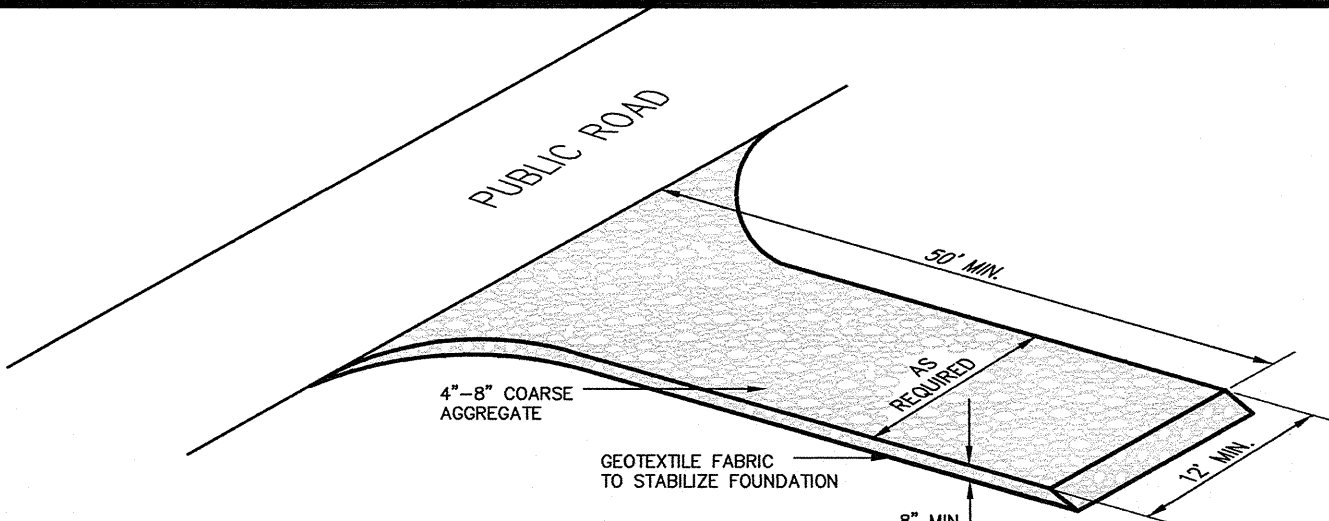
COMMON TROUBLE POINTS:

- (1) Insufficient berm height or length (runoff quickly escapes over top or around the sides of berm).
- (2) Berm not installed perpendicular to flow line (runoff escaping around one side).

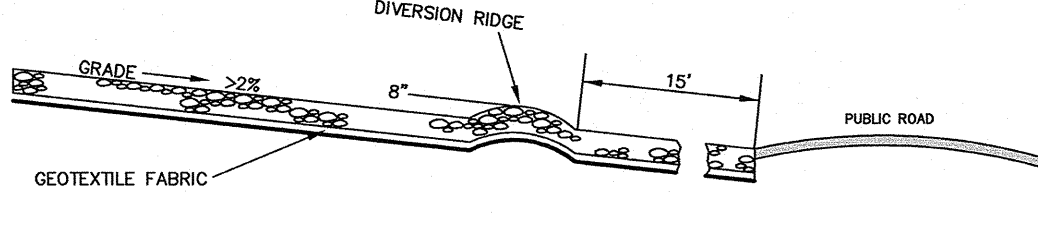
INSPECTION AND MAINTENANCE GUIDELINES:

- (1) Inspection should be made weekly and after each rainfall by the responsible party. For installations in streambeds, additional daily inspections should be made.
- (2) Remove sediment and other debris when buildup reaches 6 inches and dispose of the accumulated silt in an approved manner that will not cause any additional siltation.
- (3) Repair any loose wire sheathing.
- (4) The berm should be reshaped as needed during inspection.
- (5) The berm should be replaced when the structure ceases to function as intended due to silt accumulation among the rocks, washout, construction traffic damage, etc.
- (6) The rock berm should be left in place until all upstream areas are stabilized and accumulated silt removed.

ROCK BERM



SCHEMATIC OF TEMPORARY CONSTRUCTION ENTRANCE/EXIT



CROSS-SECTION OF A CONSTRUCTION ENTRANCE/EXIT

MATERIALS:

- (1) The aggregate should consist of 4 to 8 inch washed stone over a stable foundation as specified in the plan.
- (2) The aggregate should be placed with a minimum thickness of 8 inches.
- (3) The geotextile fabric should be designed specifically for use as a soil filtration media with an approximate weight of 6 oz/yd², a mullen burst rating of 140 lb/in², and an equivalent opening size greater than a number 50 sieve.
- (4) If a washing facility is required, a level area with a minimum of 4 inch diameter washed stone or commercial rock should be included in the plans. Divert wastewater to a sediment trap or basin.

INSTALLATION:

- (1) Avoid curves on public roads and steep slopes. Remove vegetation and other objectionable material from the foundation area. Grade crown foundation for positive drainage.
- (2) The minimum width of the entrance/exit should be 12 feet or the full width of exit roadway, whichever is greater.
- (3) The construction entrance should be at least 50 feet long.
- (4) If the slope toward the road exceeds 2%, construct a ridge, 6 to 8 inches high across with 3:1 (H:V) side slopes, across the foundation approximately 15 feet from the entrance to divert runoff away from the public road.
- (5) Place geotextile fabric and grade foundation to improve stability, especially where wet conditions are anticipated.
- (6) Place stone to dimensions and grade shown on plans. Leave surface smooth and slope for drainage.
- (7) Divert all surface runoff and drainage from the stone pad to a sediment trap or basin.
- (8) Install pipe under pad as needed to maintain proper public road drainage.

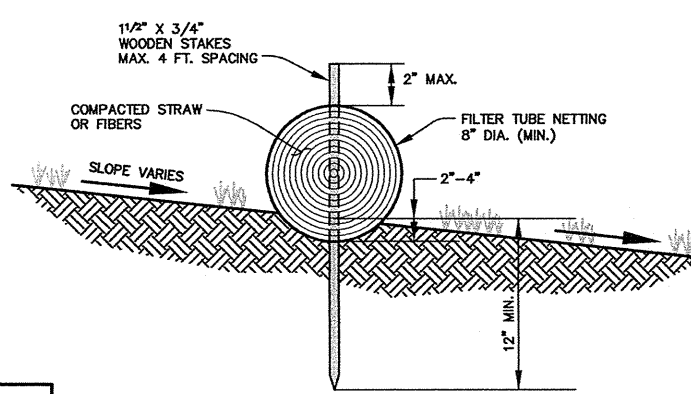
COMMON TROUBLE POINTS:

- (1) Inadequate runoff control-sediment washes onto public road.
- (2) Stone too small or geotextile fabric absent, results in muddy condition as stone is pressed into soil.
- (3) Pad too short for heavy construction traffic-extend pad beyond the minimum 50 foot length as necessary.
- (4) Pad not flared sufficiently at road surface, results in mud being tracked on to road and possible damage to road.
- (5) Unstable foundation - use geotextile fabric under pad and/or improve foundation drainage.

INSPECTION AND MAINTENANCE GUIDELINES:

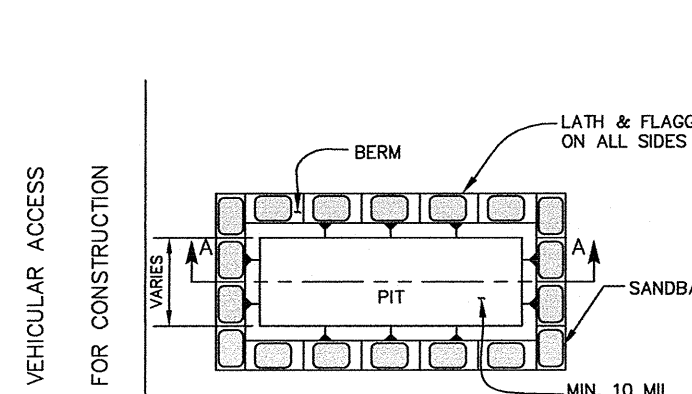
- (1) The entrance should be maintained in a condition, which will prevent tracking or flowing of sediment onto public rights-of-way. This may require periodic top dressing with additional stone as conditions demand and repair and/or cleanup of any measures used to trap sediment.
- (2) All sediment spilled, drained, washed or tracked onto public rights-of-way should be removed immediately by contractor.
- (3) When necessary, wheels should be cleaned to remove sediment prior to entrance onto public right-of-way.
- (4) When washing is required, it should be done on an area stabilized with crushed stone that drains into an approved sediment trap or sediment basin.
- (5) All sediment should be prevented from entering any storm drain, ditch or water course by using approved methods.

STABILIZED CONSTRUCTION ENTRANCE/EXIT

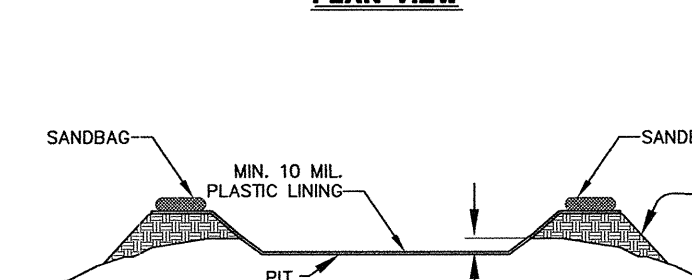


CROSS-SECTION 'A-A'

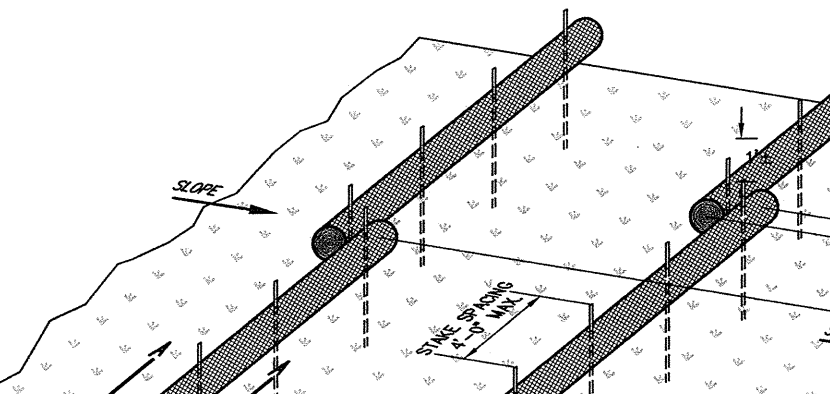
N.T.S.



PLAN VIEW



SECTION A-A



ISOMETRIC PLAN VIEW

N.T.S.

WATTLES
Wattles are elongated tubes of compacted straw and/or other fibers that are installed along contours or at the base of slopes to help reduce soil erosion and retain sediment. They function by shortening slope length, reducing runoff water velocity, trapping dislodged soil particles and reducing the effects of slope steepness.

MATERIALS:

- Core material: Core materials shall be biodegradable and non-toxic weed free. Material may be compost, mulch, aspen excelsior wood fibers, chipped site vegetation, agricultural rice or wheat straw, coconut fiber, or other 100% biodegradable fibers.
- Containment mesh: containment mesh shall be 100% biodegradable, photodegradable or recyclable such as burlap twine, UV photodegradable plastic or polyester.
- Use biodegradable or photodegradable mesh when wattle will remain in place as part of a vegetative system. Use recyclable mesh for temporary installations.
- Wattles shall have a minimum diameter of 8 inches and a maximum diameter of 20 inches.
- No more than 5% of the fill material shall be permitted to escape from the mesh. Mesh shall be 0.5" x 0.5" high density polyethylene and ethyl vinyl acetate and contain ultra-violet inhibitors. Wattle ends shall be tied closed.

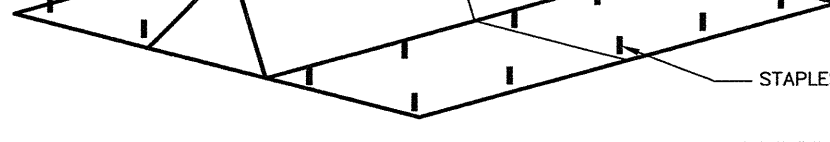
SEDIMENT CONTROL WATTLES

INSTALLATION
1. Remove all rocks, clods, vegetation or other obstructions so that the installed Wattles will have direct contact with the soil.
2. A small trench, 2-4 inches in depth should be excavated on the slope contour and perpendicular to water flow. Soil from the excavation should be placed upslope next to the trench.
3. Install the Wattles in the trench, insuring that no gaps exist between the soil and the bottom of the Wattle. Wattles should be lapped 6" minimum to prevent sediment passing through the field joint.
4. Wooden stakes should be used to fasten the Wattles to the soil. When conditions warrant, a straight metal bar can be used to drive a "pilot hole" through the Wattle and into the soil.
5. Wooden stakes should be placed 6" from the Wattle and angled towards the adjacent Wattle and spaced at 4 feet centers leaving less than 1-2 inches of stake exposed above the Wattle. Alternately, stakes may be placed on each side of the Wattle lying across with a natural fiber wire or staking in a crossing manner insuring direct soil contact at all times.
6. Terminal ends of Wattles may be "dog leagued" up slope to ensure containment and prevent channeling of sediment.
7. Backfill the upslope length of the Wattle with the excavated soil and compact.
8. Core shall be taken during installation so as to avoid damage occurring to the Wattle as a result of the installation process. Should the Wattle be damaged during installation, a wooden stake shall be placed either side of the damaged area terminating the log segment.

MATERIALS
The triangular-shaped inner material shall be urethane foam. The outer cover shall be a woven geotextile fabric placed around the inner material and allowed to extend beyond both sides of the triangle two to three (2"-3") feet.

ANCHORING

- The Dikes shall be attached to the ground with Wire Staples. The Staples shall be No. 11 gauge wire and at least six eight (8"-8") inches long. Staples shall be placed as indicated on the installation detail.



TRIANGULAR SILT DIKES

- Detail above illustrates minimum dimensions. Pit can be increased in size depending on expected frequency of use.
- Washout pit shall be located in an area easily accessible to construction traffic.
- Washout pit shall not be located in areas subject to inundation from storm water runoff.
- Locate washout area at least 50 feet from sensitive features, storm drains, open ditches, or water bodies.
- Temporary concrete washout facility should be constructed with sufficient quantity and volume to contain all liquid and concrete waste generated by washout operations.

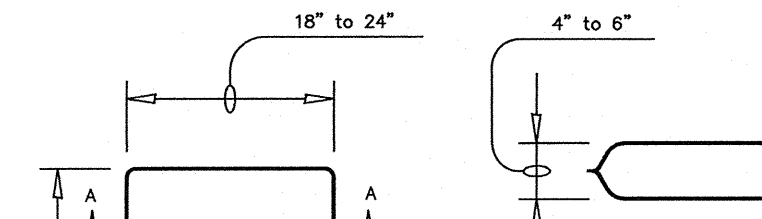
MATERIALS:

- Plastic lining material should be a minimum of 10 mil in polyethylene sheeting and should be free of holes, tears, or other defects that compromise the impermeability of the material.

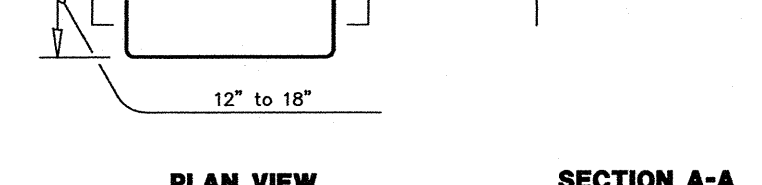
MAINTENANCE:

- When temporary concrete washout facilities are no longer required for the work, the hardened concrete should be removed and disposed of.
- Materials used to construct temporary concrete washout facilities should be removed from the site of the work and disposed of.
- Holes, depressions or other ground disturbance caused by the removal of the temporary concrete washout facilities should be backfilled and repaired.

CONCRETE TRUCK WASHOUT PIT



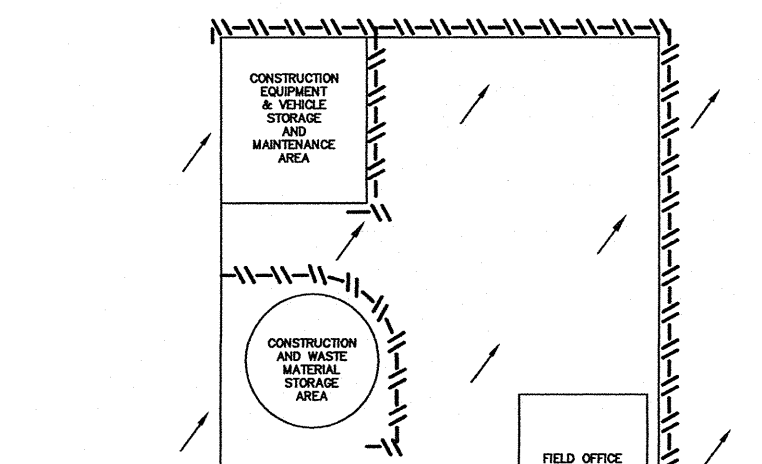
PLAN VIEW



SECTION A-A

GRAVEL FILTER BAG DETAIL

- The filter bag material shall be made of polypropylene, polyethylene or polyamide woven fabric, min. unit weight of 4 ounces/sy, have a Mullen burst strength exceeding 300 psi and ultraviolet stability exceeding 70%.
- The filter bag shall be filled with clean, medium (washed pea gravel) to coarse gravel (0.31 to 0.75 inch diameter).
- Sand shall NOT be used to fill the filter bags.



CONSTRUCTION STAGING AREA

REVISIONS: 10-14-2011 - CHANGED "BID PACKAGE" TO "SEGMENT 5" - ADDED TO BOTTOM OF SHEET

STATE OF TEXAS
CARA C. TACKETT
89491
LICENSED PROFESSIONAL ENGINEER

PAPE-DAWSON ENGINEERS

555 EAST RAMSEY | SAN ANTONIO, TEXAS 78216 | PHONE: 210.375.9000
555 EAST RAMSEY | SAN ANTONIO, TEXAS 78216 | FAX: 210.375.9070

TEXAS BOARD OF PROFESSIONAL ENGINEERS, FIRM REGISTRATION # 470

MEDINA RIVER SEWER OUTFALL
SAN ANTONIO, TEXAS

SEGMENT 5, SA WS JOB NO. 12-2505
STORM WATER POLLUTION PREVENTION PLAN
DETAIL SHEET

JOB NO. 6866-00

DATE NOVEMBER 2009

DESIGNER MGB

CHECKED CFF DRAWN RO

SHEET 1 OF 1

THE ENGINEERING SEAL HAS BEEN AFFIXED TO THIS SHEET ONLY FOR THE PURPOSE OF DEMONSTRATING COMPLIANCE WITH THE TYPES-STORM WATER POLLUTION PREVENTION PLAN (SWP3) REGULATIONS.

THIS SHEET HAS BEEN PREPARED FOR PURPOSES OF THE SWP3 ONLY. ALL OTHER CIVIL ENGINEERING RELATED INFORMATION SHOULD BE ACQUIRED FROM THE APPROPRIATE SHEET IN THE CIVIL IMPROVEMENT PLANS.

EXHIBIT 3

MEDINA RIVER SEWER OUTFALL: SEGMENT 5 (SAWS JOB #12-2505)
Storm Water Pollution Prevention Plan

PROJECT MILESTONE DATES

Date when major site grading activities begin:

| <u>Construction Activity</u> | <u>Date</u> |
|------------------------------|-------------|
| <u>Installation of BMPs</u> | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

Dates when construction activities temporarily or permanently cease on all or a portion of the project:

| <u>Construction Activity</u> | <u>Date</u> |
|------------------------------|-------------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

Dates when stabilization measures are initiated:

| <u>Stabilization Activity</u> | <u>Date</u> |
|-------------------------------|-------------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| <u>Removal of BMPs</u> | _____ |

**MEDINA RIVER SEWER OUTFALL: SEGMENT 5 (SAWS JOB #12-2505)
Storm Water Pollution Prevention Plan**

TPDES GENERAL PERMIT TXR150000

RESPONSIBLE PARTY FORM

SHARED STORM WATER POLLUTION PREVENTION PLAN

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

I further certify that I am authorized under 30 Texas Administrative Code §305.44 to sign and submit this document, and can provide documentation in proof of such authorization upon request.

Primary Operator having operational control over construction plans and specifications, including the ability to make modifications to these plans and specifications.

Entity Name: _____

Authorized Signature/Date: _____

Name and Position: _____

Permit No.: _____

Secondary Operator whose operational control is limited to the employment of other operators or to the ability to approve or disapprove changes to plans and specifications.

Entity Name: _____

Authorized Signature/Date: _____

Name and Position: _____

Permit No.: _____

Owner Information

Owner Name: _____

Authorized Signature/Date: _____

Name and Position: _____

Permit No.: _____

Primary Operator having day-to-day operational control of those construction site activities necessary to ensure compliance with the Storm Water Pollution Prevention Plan or other permit conditions.

Company Name: _____

Authorized Signature/Date: _____

Name and Position: _____

Permit No.: _____

**MEDINA RIVER SEWER OUTFALL: SEGMENT 5 (SAWS JOB #12-2505)
Storm Water Pollution Prevention Plan**

**TPDES GENERAL PERMIT TXR150000
RESPONSIBLE PARTY FORM**

| Prevention Measure | 1. | | | 2. | | | 3. | | | 1. | | | 2. | | | 3. | | |
|---------------------------------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--|--|
| | 1. | 2. | 3. | 1. | 2. | 3. | 1. | 2. | 3. | 1. | 2. | 3. | 1. | 2. | 3. | | | |
| Best Management Practices | | | | | | | | | | | | | | | | | | |
| SWP3 Modification & Records | | | | | | | | | | | | | | | | | | |
| Natural vegetation buffer strip | | | | | | | | | | | | | | | | | | |
| Temporary vegetation | | | | | | | | | | | | | | | | | | |
| Permanent vegetation | | | | | | | | | | | | | | | | | | |
| Sediment control basin | | | | | | | | | | | | | | | | | | |
| Silt fences | | | | | | | | | | | | | | | | | | |
| Rock berms | | | | | | | | | | | | | | | | | | |
| Gravel filter bags | | | | | | | | | | | | | | | | | | |
| Drain inlet protection | | | | | | | | | | | | | | | | | | |
| Other structural controls | | | | | | | | | | | | | | | | | | |
| Vehicle exits (off-site tracking) | | | | | | | | | | | | | | | | | | |
| Material storage areas (leakage) | | | | | | | | | | | | | | | | | | |
| Equipment areas (leaks, spills) | | | | | | | | | | | | | | | | | | |
| Concrete washout pit (leaks, failure) | | | | | | | | | | | | | | | | | | |
| Construction debris | | | | | | | | | | | | | | | | | | |
| General site cleanliness | | | | | | | | | | | | | | | | | | |
| Trash receptacles | | | | | | | | | | | | | | | | | | |
| Inspections | | | | | | | | | | | | | | | | | | |
| Potential Erosion Sources | | | | | | | | | | | | | | | | | | |
| Clearing | | | | | | | | | | | | | | | | | | |
| Grading | | | | | | | | | | | | | | | | | | |
| Excavation | | | | | | | | | | | | | | | | | | |
| Drainage construction | | | | | | | | | | | | | | | | | | |
| Utility construction | | | | | | | | | | | | | | | | | | |
| Roadway or parking lot construction | | | | | | | | | | | | | | | | | | |
| Foundation construction | | | | | | | | | | | | | | | | | | |
| Building construction | | | | | | | | | | | | | | | | | | |
| Landscaping activities | | | | | | | | | | | | | | | | | | |

Identify responsible parties and indicate responsible party for each pollution prevention item listed above by marking an X under the Responsible Party Name.

**NOTICE OF INTENT,
CONSTRUCTION SITE NOTICE
& NOI TRACKING FORM**



Notice of Intent (NOI) for Storm Water Discharges Associated with Construction Activity under TPDES General Permit (TXR150000)

TCEQ Office Use Only
Permit No.: TXR15
RN:
CN:
Ref No:



Sign up now for ePermits NOI at www6.tceq.state.tx.us/steers
Get Instant Permit Coverage and only pay a \$225 application fee.

If filing a paper NOI you can pay the application fee on line? Go to www.tceq.state.tx.us/epay
Select Fee Type: GENERAL PERMIT CONSTRUCTION STORM WATER DISCHARGE NOI APPLICATION
If submitting a paper NOI, coverage under the general permit starts seven (7) days after the date postmarked for delivery to TCEQ.

IMPORTANT:

- Use the **INSTRUCTIONS** to fill out each question in this form.
- Use the attached **CUSTOMER CHECKLIST** to make certain all you filled out all required information.
- Incomplete applications **WILL** delay approval or result in **automatic Denial**.

Renewal of General Permit

Is this NOI to renew an ACTIVE permit?

- Yes - What is your permit number? Permit No. TXR15 _____
 No - a permit number will be issued.

Application Fee if mailing a paper NOI:

You must pay the \$325 Application Fee to TCEQ for the application to be considered complete.
Payment and NOI must be mailed to separate addresses. See instructions for correct mailing addresses.

Provide your payment information below, for us to verify payment of the application fee:

| | | |
|----------------------------------|------------------------|--|
| <input type="checkbox"/> Mailed: | Check/Money Order No.: | Company Name on checking account: |
| <input type="checkbox"/> EPAY: | Voucher No.: | Is the Payment Voucher copy attached? <input type="checkbox"/> Yes |

A. OPERATOR (applicant)

1. If the applicant is currently a customer with TCEQ, what is the Customer Number (CN) issued to this entity?
CN 600529069 (Search Central Registry)

2. What is the Legal Name of the entity (applicant) applying for this permit?
San Antonio Water System

(The legal name must be spelled exactly as filed with the Texas Secretary of State, County, or in the legal document forming the entity.)

3. What is the name and title of the person signing the application?
(The person must be an official meeting signatory requirements in TAC 305.43(a).)

| | |
|-------|------------|
| Name: | Job Title: |
|-------|------------|

4. What is the Operator's (applicant) mailing address as recognized by the **US Postal Service?** (verify at USPS.com)

| | | |
|---|--------------------------------|------------------------|
| Address: 2800 U.S Highway 281 North | Suite No./Bldg. No./Mail Code: | |
| City: San Antonio | State: Texas | ZIP Code: 78212 |
| Country Mailing Information (if outside USA): | Country Code: | Postal Code: |

5. Phone No.: (210) 233-3020 Extension:

6. Fax No.: (210) 233-5468 E-mail Address:

7. Indicate the type of Customer:

- | | | |
|---|---|--|
| <input type="checkbox"/> Individual | <input type="checkbox"/> Sole Proprietorship-D.B.A. | <input type="checkbox"/> Limited Partnership |
| <input type="checkbox"/> Corporation | <input type="checkbox"/> Federal Government | <input type="checkbox"/> General Partnership |
| <input type="checkbox"/> State Government | <input type="checkbox"/> County Government | <input type="checkbox"/> City Government |
| <input type="checkbox"/> Other Government | <input checked="" type="checkbox"/> Other (describe): Public Utility | |

| | |
|---|--|
| 8. Independent Operator: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (If governmental entity, subsidiary, or part of a larger corporation, check "No".) | |
| 9. Number of Employees: <input type="checkbox"/> 0-20; <input type="checkbox"/> 21-100; <input type="checkbox"/> 101-250; <input type="checkbox"/> 251-500; or <input checked="" type="checkbox"/> 501 or higher | |
| 10. Customer Business Tax and Filing Numbers <i>(This item is not applicable to Individuals, Government, GP or Sole Proprietor.)</i> REQUIRED for Corporations and Limited Partnerships (Verify the entity's status and filing no. with TX SOS at 512/463-5555) | |
| State Franchise Tax ID Number: | Federal Tax ID: |
| TX SOS Charter (filing) Number: | DUNS Number (if known): |
| B. APPLICATION CONTACT | |
| If TCEQ needs additional information regarding this application, who should be contacted? | |
| 1. Name: <i>Patrick O'Connor</i> | Title: <i>Project Manager</i> Company: <i>San Antonio Water System</i> |
| 2. Phone No.: (<i>210</i>) <i>233-3020</i> | Extension: |
| 3. Fax No.: (<i>210</i>) <i>233-5468</i> | E-mail Address: <i>poconnor@saws.org</i> |
| C. REGULATED ENTITY (RE) INFORMATION ON PROJECT OR SITE | |
| 1. TCEQ Issued RE Reference Number (RN): <i>RN</i> (Search Central Registry) | |
| 2. Name of Project or Site (the name as known by the community where this facility/project is located): <i>Medina River Sewer Outfall: Segment 5 (SAWS Job No. 12-2505)</i> (example: phase and name of subdivision or name of project that's unique to the site) | |
| 3. Does the site have a physical address? If Yes, complete Section A for a physical address. If No, complete Section B for site location information. | |
| Section A: Enter the physical address for the site. (verify it with USPS.com or other delivery source) | |
| Street Number: | Street Name: |
| City: | ZIP Code: |
| Section B: Enter the site location information. | |
| If no physical address (Street Number & Street Name), provide a written location access description to the site: (Ex.: phase 1 of Woodland subdivision located 2 miles west from intersection of Hwy 290 & IH35 accessible on Hwy 290 South) <i>From approximately 100 feet west of Pearsall Road to approximately 2,200 feet west of Cagnon Road</i> | |
| City where the site is located or nearest city to site: <i>San Antonio</i> | ZIP Code where site is located: <i>78252</i> |
| 4. Identify the county where the site is located: <i>Bexar</i> | |
| 5. Latitude: <i>N 29°18'44.2"</i> | Longitude: <i>W 98°39'37.3"</i> |
| 6. What is the primary business of this entity? In your own words, briefly describe the primary business of the Regulated Entity: (Do not repeat the SIC and NAICS code) <i>Construction of a sanitary sewer main</i> | |
| 7. What is the mailing address for the regulated entity? | |
| Is the RE mailing address the same as the Operator? <input checked="" type="checkbox"/> Yes, address is the same as Operator <input type="checkbox"/> No, provide the address | |
| Street Number: | Street Name: |
| City: | State: ZIP Code: |
| D. GENERAL CHARACTERISTICS | |
| 1. Is the site located on Indian Country Lands? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes – If Yes, do not submit this NOI. Contact EPA, Region VI If the site is on Indian country lands, you must obtain authorization through EPA, Region VI. | |
| 2. What is the Standard Industrial Classification (SIC) code (see instructions for common codes): (Search Osha.gov) Primary: <i>1623</i> Secondary: _____ | |

3(a) What is the total number of acres disturbed? 64

3(b) Is the project site part of a larger common plan of development or sale? Yes No
 If Yes, the total number of acres disturbed can be less than 5 acres.
 If No, the total number of acres disturbed must be 5 or more. If the total number of acres disturbed is less than 5 then the project site does not qualify for coverage through this Notice of Intent. Coverage will be denied. See the requirements in the general permit for small construction sites.

4. Discharge Information (all information MUST be provided or the permit will be denied)

4(a) What is the name of the water body(s) to receive the storm water runoff or potential runoff from the site?
Medina River

4(b) What is the segment number(s) of the classified water body(s) that the discharge or potential discharge will eventually reach? 1903

4(c) Are any of the surface water bodies receiving discharges from the construction site on the latest EPA-approved CWA 303(d) list of impaired waters?
 Yes No
 If Yes, provide the name of the impaired water body(s). _____

4(d) Is the discharge into an MS4? Yes No
 If Yes, what is the name of the MS4 Operator? SAWS
 Note: The general permit requires you to send a copy of the NOI to the MS4 Operator.

4(e) Is the discharge or potential discharge within the Recharge Zone, Contributing Zone, or Contributing Zone within the Transition Zone of the Edwards Aquifer?
 Yes No
 If the answer is Yes, please note that a copy of the agency approved Plan required by the Edwards Aquifer Rule (30 TAC Chapter 213) must be included or referenced in the Storm Water Pollution Prevention Plan.

E. CERTIFICATION

Check "Yes" to the certifications below. Failure to certify to all items will result in denial.

| | |
|------------------------------|---|
| <input type="checkbox"/> Yes | I certify that I have obtained a copy and understand the terms and conditions of the general permit (TXR150000). |
| <input type="checkbox"/> Yes | I certify that the full legal name of the entity (Operator) applying for this permit has been provided and is legally authorized to do business in Texas. |
| <input type="checkbox"/> Yes | I understand that a Notice of Termination (NOT) must be submitted when this authorization is no longer needed. |
| <input type="checkbox"/> Yes | I certify that a storm water pollution prevention plan has been developed and implemented prior to construction, and that is compliant with any applicable local sediment and erosion control plans and prepared and implemented as required in the general permit TXR150000. |

Operator Certification:

I, _____ Title (Required & legible)

Typed or printed name (Required & must be legible)

certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

I further certify that I am authorized under 30 Texas Administrative Code §305.44 to sign and submit this document, and can provide documentation in proof of such authorization upon request.

Signature: _____ Date: _____
 (Use blue ink)

**Texas Commission on Environmental Quality
General Permit Payment Submittal Form
\$325 for a paper Construction NOI Application Fee**

Use this form to submit your Application Fee only if you are mailing your payment.

- Complete items 1 through 5 below:
- Staple your check in the space provided at the bottom of this document.
- Do not mail this form with your NOI form.
- Do not mail this form to the same address as your NOI.

Mail this form and your check to:

BY REGULAR U.S. MAIL

Texas Commission on Environmental Quality
Financial Administration Division
Cashier's Office, MC-214
P.O. Box 13088
Austin, TX 78711-3088

BY OVERNIGHT/EXPRESS MAIL

Texas Commission on Environmental Quality
Financial Administration Division
Cashier's Office, MC-214
12100 Park 35 Circle
Austin, TX 78753

Fee Code: **GPA**

General Permit: TXR150000

1. Check / Money Order No:

2. Amount of Check/Money Order:

3. Date of Check or Money Order:

4. Name on Check or Money Order:

5. NOI INFORMATION

If the check is for more than one NOI, list each Project/Site (RE) Name and Physical Address exactly as provided on the NOI. **DO NOT SUBMIT A COPY OF THE NOI WITH THIS FORM AS IT COULD CAUSE DUPLICATE PERMIT ENTRIES.**

See Attached List of Sites (If more space is needed, you may attach a list.)

Project/Site (RE) Name:

Medina River Sewer Outfall: Segment 5 (SAWS Job No. 12-2505)

Project/Site (RE) Physical Address:

*From approximately 100 feet west of Pearsall Road to approximately 2,200 feet west of Cagnon Road
San Antonio, TX 78252*

Staple Check In This Space

Did you complete everything? Use this checklist to be sure!

Are you ready to mail your form to TCEQ? Go to the General Information Section of the Instructions for mailing addresses.

| Customer GP Notice of Intent Checklist TXR150000 | |
|--|---|
| <input checked="" type="checkbox"/> | This checklist is for use by the operator to ensure a complete application. Missing information may result in denial of coverage under the permit. (See NOI Process description in the Instructions) |
| <input type="checkbox"/> | Application Fee of \$325.00 was mailed separately to TCEQ's Cashiers's Office (separate from the NOI) or the EPAY payment voucher is attached. |
| <input checked="" type="checkbox"/> | OPERATOR INFORMATION - Confirm each item is complete: √ |
| <input checked="" type="checkbox"/> | Customer Number (CN) issued by TCEQ Central Registry |
| <input checked="" type="checkbox"/> | Legal Name as filed to do business in Texas (Call TX SOS 512/463-5555) |
| <input type="checkbox"/> | Name and Title of person signing the application. This person must meet signatory requirements in 30 TAC Section 305.43 |
| <input checked="" type="checkbox"/> | Operator Mailing Address is complete & verifiable with USPS. www.usps.com |
| <input checked="" type="checkbox"/> | Phone Numbers/E-mail Address |
| <input checked="" type="checkbox"/> | Type of Operator (Entity Type) |
| <input checked="" type="checkbox"/> | Independent Operator |
| <input checked="" type="checkbox"/> | Number of Employees |
| <input type="checkbox"/> | For Corporations or Limited Partnerships – Tax ID and SOS Filing numbers are REQUIRED |
| <input type="checkbox"/> | Application Contact person we can call for questions about this application. |
| <input checked="" type="checkbox"/> | REGULATED ENTITY (RE) INFORMATION ON PROJECT OR SITE - Confirm each item is complete: √ |
| <input checked="" type="checkbox"/> | Regulated Entity Reference Number (RN) (if site is already regulated by TCEQ) |
| <input checked="" type="checkbox"/> | Site/Project Name/Regulated Entity |
| <input type="checkbox"/> | Site/Project (RE) Physical Address Please do not use a rural route or post office box for a site location |
| <input checked="" type="checkbox"/> | Or if no physical address, the location information that includes description, zip code and city is listed. |
| <input checked="" type="checkbox"/> | Latitude and Longitude TCEQ USGS Topographic Map Viewer or TerraServer-USA |
| <input checked="" type="checkbox"/> | Business description |
| <input checked="" type="checkbox"/> | Site Mailing Address (checked same as operator or complete & verifiable with USPS. www.usps.com) |
| <input checked="" type="checkbox"/> | GENERAL CHARACTERISTICS - Confirm each item is complete: √ |
| <input checked="" type="checkbox"/> | Indian Country Lands –the facility is not on Indian Country Lands |
| <input checked="" type="checkbox"/> | Standard Industrial Classification (SIC) code www.osha.gov/oshstats/sicser.html |
| <input checked="" type="checkbox"/> | Acres Disturbed is provided and qualifies for coverage through a NOI. |
| <input checked="" type="checkbox"/> | Common plan of development or for sale? |
| <input checked="" type="checkbox"/> | Discharge Information: |
| <input checked="" type="checkbox"/> | receiving water body |
| <input checked="" type="checkbox"/> | segment number(s) is REQUIRED |
| <input checked="" type="checkbox"/> | water body on the latest EPA-Approved Clean Water Act 303(d) list of impaired waters |
| <input checked="" type="checkbox"/> | MS4 Operator |
| <input checked="" type="checkbox"/> | Edwards Aquifer Rule |
| <input type="checkbox"/> | CERTIFICATION Certification statements have been checked indicating "Yes" Signature meets 30 Texas Administrative Code (TAC) §305.44 and is original and has been provided for the Operator. |



Notice of Intent (NOI) for Storm Water Discharges Associated with Construction Activity under TPDES General Permit (TXR150000)

TCEQ Office Use Only
 Permit No.: TXR15
 RN:
 CN:
 Ref No:



Sign up now for ePermits NOI at www6.tceq.state.tx.us/steers
Get Instant Permit Coverage and only pay a \$225 application fee.

If filing a paper NOI you can pay the application fee on line? Go to www.tceq.state.tx.us/epay
 Select Fee Type: GENERAL PERMIT CONSTRUCTION STORM WATER DISCHARGE NOI APPLICATION
 If submitting a paper NOI, coverage under the general permit starts seven (7) days after the date postmarked for delivery to TCEQ.

IMPORTANT:

- Use the **INSTRUCTIONS** to fill out each question in this form.
- Use the attached **CUSTOMER CHECKLIST** to make certain all you filled out all required information.
- Incomplete applications **WILL** delay approval or result in **automatic Denial**.

Renewal of General Permit

Is this NOI to renew an ACTIVE permit?

- Yes - What is your permit number? Permit No. TXR15 _____
 No - a permit number will be issued.

Application Fee if mailing a paper NOI:

You must pay the \$325 Application Fee to TCEQ for the application to be considered complete.
 Payment and NOI must be mailed to separate addresses. See instructions for correct mailing addresses.

Provide your payment information below, for us to verify payment of the application fee:

| | | |
|----------------------------------|------------------------|--|
| <input type="checkbox"/> Mailed: | Check/Money Order No.: | Company Name on checking account: |
| <input type="checkbox"/> EPAY: | Voucher No.: | Is the Payment Voucher copy attached? <input type="checkbox"/> Yes |

A. OPERATOR (applicant)

1. If the applicant is currently a customer with TCEQ, what is the Customer Number (CN) issued to this entity?
 CN _____ (Search Central Registry)

2. What is the Legal Name of the entity (applicant) applying for this permit?

(The legal name must be spelled exactly as filed with the Texas Secretary of State, County, or in the legal document forming the entity.)

3. What is the name and title of the person signing the application?

(The person must be an official meeting signatory requirements in TAC 305.43(a).)

| | |
|-------|------------|
| Name: | Job Title: |
|-------|------------|

4. What is the Operator's (applicant) mailing address as recognized by the **US Postal Service**? (verify at USPS.com)

| | | |
|---|--------------------------------|--------------|
| Address: | Suite No./Bldg. No./Mail Code: | |
| City: | State: | ZIP Code: |
| Country Mailing Information (if outside USA): | Country Code: | Postal Code: |

5. Phone No.: ()

Extension:

6. Fax No.: ()

E-mail Address:

7. Indicate the type of Customer:

- | | | |
|---|---|--|
| <input type="checkbox"/> Individual | <input type="checkbox"/> Sole Proprietorship-D.B.A. | <input type="checkbox"/> Limited Partnership |
| <input type="checkbox"/> Corporation | <input type="checkbox"/> Federal Government | <input type="checkbox"/> General Partnership |
| <input type="checkbox"/> State Government | <input type="checkbox"/> County Government | <input type="checkbox"/> City Government |
| <input type="checkbox"/> Other Government | <input type="checkbox"/> Other (describe): | |

| | |
|---|---|
| 8. Independent Operator: <input type="checkbox"/> Yes <input type="checkbox"/> No (If governmental entity, subsidiary, or part of a larger corporation, check "No".) | |
| 9. Number of Employees: <input type="checkbox"/> 0-20; <input type="checkbox"/> 21-100; <input type="checkbox"/> 101-250; <input type="checkbox"/> 251-500; or <input type="checkbox"/> 501 or higher | |
| 10. Customer Business Tax and Filing Numbers <i>(This item is not applicable to Individuals, Government, GP or Sole Proprietor.)</i> REQUIRED for Corporations and Limited Partnerships (Verify the entity's status and filing no. with TX SOS at 512/463-5555) | |
| State Franchise Tax ID Number: | Federal Tax ID: |
| TX SOS Charter (filing) Number: | DUNS Number (if known): |
| B. APPLICATION CONTACT | |
| If TCEQ needs additional information regarding this application, who should be contacted? | |
| 1. Name: | Title: |
| 2. Phone No.: () | Extension: |
| 3. Fax No.: | E-mail Address: |
| C. REGULATED ENTITY (RE) INFORMATION ON PROJECT OR SITE | |
| 1. TCEQ Issued RE Reference Number (RN): RN (Search <u>Central Registry</u>) | |
| 2. Name of Project or Site (the name as known by the community where this facility/project is located): Medina River Sewer Outfall: Segment 5 (SAWS Job No. 12-2505) (example: phase and name of subdivision or name of project that's unique to the site) | |
| 3. Does the site have a physical address? If Yes, complete Section A for a physical address. If No, complete Section B for site location information. | |
| Section A: Enter the physical address for the site. (verify it with <u>USPS.com</u> or other delivery source) | |
| Street Number: | Street Name: |
| City: | ZIP Code: |
| Section B: Enter the site location information. | |
| If no physical address (Street Number & Street Name), provide a written location access description to the site: (Ex.: phase 1 of Woodland subdivision located 2 miles west from intersection of Hwy 290 & IH35 accessible on Hwy 290 South) From approximately 100 feet west of Pearsall Road to approximately 2,200 feet west of Cagnon Road | |
| City where the site is located or nearest city to site: San Antonio | ZIP Code where site is located: 78252 |
| 4. Identify the county where the site is located: Bexar | |
| 5. Latitude: N 29°18'44.2" | Longitude: W 98°39'37.3" |
| 6. What is the primary business of this entity? In your own words, briefly describe the primary business of the Regulated Entity: (Do not repeat the SIC and NAICS code) Construction of a sanitary sewer main | |
| 7. What is the mailing address for the regulated entity? | |
| Is the RE mailing address the same as the Operator? <input type="checkbox"/> Yes, address is the same as Operator <input type="checkbox"/> No, provide the address | |
| Street Number: | Street Name: |
| City: | State: |
| | ZIP Code: |
| D. GENERAL CHARACTERISTICS | |
| 1. Is the site located on Indian Country Lands? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes – If Yes, do not submit this NOI. Contact EPA, Region VI If the site is on Indian country lands, you must obtain authorization through EPA, Region VI. | |
| 2. What is the Standard Industrial Classification (SIC) code (see instructions for common codes): (Search <u>Osha.gov</u>) Primary: 1623 Secondary: _____ | |

3(a) What is the total number of acres disturbed? 64

3(b) Is the project site part of a larger common plan of development or sale? Yes No

If Yes, the total number of acres disturbed can be less than 5 acres.

If No, the total number of acres disturbed must be 5 or more. If the total number of acres disturbed is less than 5 then the project site does not qualify for coverage through this Notice of Intent. Coverage will be denied. See the requirements in the general permit for small construction sites.

4. Discharge Information (all information MUST be provided or the permit will be denied)

4(a) What is the name of the water body(s) to receive the storm water runoff or potential runoff from the site?
Medina River

4(b) What is the segment number(s) of the classified water body(s) that the discharge or potential discharge will eventually reach? 1903

4(c) Are any of the surface water bodies receiving discharges from the construction site on the latest EPA-approved CWA 303(d) list of impaired waters?

Yes No

If Yes, provide the name of the impaired water body(s).

4(d) Is the discharge into an MS4? Yes No

If Yes, what is the name of the MS4 Operator? SAWS

Note: The general permit requires you to send a copy of the NOI to the MS4 Operator.

4(e) Is the discharge or potential discharge within the Recharge Zone, Contributing Zone, or Contributing Zone within the Transition Zone of the Edwards Aquifer?

Yes No

If the answer is Yes, please note that a copy of the agency approved Plan required by the Edwards Aquifer Rule (30 TAC Chapter 213) must be included or referenced in the Storm Water Pollution Prevention Plan.

E. CERTIFICATION

Check "Yes" to the certifications below. Failure to certify to all items will result in denial.

Yes I certify that I have obtained a copy and understand the terms and conditions of the general permit (TXR150000).

Yes I certify that the full legal name of the entity (Operator) applying for this permit has been provided and is legally authorized to do business in Texas.

Yes I understand that a Notice of Termination (NOT) must be submitted when this authorization is no longer needed.

Yes I certify that a storm water pollution prevention plan has been developed and implemented prior to construction, and that is compliant with any applicable local sediment and erosion control plans and prepared and implemented as required in the general permit TXR150000.

Operator Certification:

I, _____
Typed or printed name (Required & must be legible) Title (Required & legible)

certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

I further certify that I am authorized under 30 Texas Administrative Code §305.44 to sign and submit this document, and can provide documentation in proof of such authorization upon request.

Signature: _____
(Use blue ink)

Date: _____

**Texas Commission on Environmental Quality
General Permit Payment Submittal Form
\$325 for a paper Construction NOI Application Fee**

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BY REGULAR U.S. MAIL

Texas Commission on Environmental Quality
Financial Administration Division
Cashier's Office, MC-214
P.O. Box 13088
Austin, TX 78711-3088

BY OVERNIGHT/EXPRESS MAIL

Texas Commission on Environmental Quality
Financial Administration Division
Cashier's Office, MC-214
12100 Park 35 Circle
Austin, TX 78753

Fee Code: **GPA**

General Permit: TXR150000

1. Check / Money Order No:

2. Amount of Check/Money Order:

3. Date of Check or Money Order:

4. Name on Check or Money Order:

5. NOI INFORMATION

If the check is for more than one NOI, list each Project/Site (RE) Name and Physical Address exactly as provided on the NOI. **DO NOT SUBMIT A COPY OF THE NOI WITH THIS FORM AS IT COULD CAUSE DUPLICATE PERMIT ENTRIES.**

See Attached List of Sites (If more space is needed, you may attach a list.)

Project/Site (RE) Name:

Medina River Sewer Outfall: Segment 5 (SAWS Job No. 12-2505)

Project/Site (RE) Physical Address:

*From approximately 100 feet west of Pearsall Road to approximately 2,200 feet west of Cagnon Road
San Antonio, Texas 78252*

Staple Check In This Space

Did you complete everything? Use this checklist to be sure!

Are you ready to mail your form to TCEQ? Go to the General Information Section of the Instructions for mailing addresses.

| Customer GP Notice of Intent Checklist TXR150000 | |
|--|---|
| √ | This checklist is for use by the operator to ensure a complete application. Missing information may result in denial of coverage under the permit. (See NOI Process description in the Instructions) |
| <input type="checkbox"/> | Application Fee of \$325.00 was mailed separately to TCEQ's Cashiers's Office (separate from the NOI) or the EPAY payment voucher is attached. |
| √ | OPERATOR INFORMATION - Confirm each item is complete: <input type="checkbox"/> Customer Number (CN) issued by TCEQ Central Registry <input type="checkbox"/> Legal Name as filed to do business in Texas (Call TX SOS 512/463-5555) <input type="checkbox"/> Name and Title of person signing the application. This person must meet signatory requirements in 30 TAC Section 305.43 <input type="checkbox"/> Operator Mailing Address is complete & verifiable with USPS. www.usps.com <input type="checkbox"/> Phone Numbers/E-mail Address <input type="checkbox"/> Type of Operator (Entity Type) <input type="checkbox"/> Independent Operator <input type="checkbox"/> Number of Employees <input type="checkbox"/> For Corporations or Limited Partnerships – Tax ID and SOS Filing numbers are REQUIRED |
| √ | Application Contact person we can call for questions about this application. |
| √ | REGULATED ENTITY (RE) INFORMATION ON PROJECT OR SITE - Confirm each item is complete: <input type="checkbox"/> Regulated Entity Reference Number (RN) (if site is already regulated by TCEQ) <input checked="" type="checkbox"/> Site/Project Name/Regulated Entity <input checked="" type="checkbox"/> Site/Project (RE) Physical Address Please do not use a rural route or post office box for a site location <input checked="" type="checkbox"/> Or if no physical address, the location information that includes description, zip code and city is listed. <input checked="" type="checkbox"/> Latitude and Longitude TCEQ USGS Topographic Map Viewer or TerraServer-USA <input checked="" type="checkbox"/> Business description <input type="checkbox"/> Site Mailing Address (checked same as operator or complete & verifiable with USPS. www.usps.com) |
| √ | GENERAL CHARACTERISTICS - Confirm each item is complete: <input checked="" type="checkbox"/> Indian Country Lands –the facility is not on Indian Country Lands <input checked="" type="checkbox"/> Standard Industrial Classification (SIC) code www.osha.gov/oshstats/sicser.html <input checked="" type="checkbox"/> Acres Disturbed is provided and qualifies for coverage through a NOI. <input checked="" type="checkbox"/> Common plan of development or for sale? <input checked="" type="checkbox"/> Discharge Information: <input checked="" type="checkbox"/> receiving water body <input checked="" type="checkbox"/> segment number(s) is REQUIRED <input checked="" type="checkbox"/> water body on the latest EPA-Approved Clean Water Act 303(d) list of impaired waters <input checked="" type="checkbox"/> MS4 Operator <input checked="" type="checkbox"/> Edwards Aquifer Rule |
| <input type="checkbox"/> | CERTIFICATION Certification statements have been checked indicating “Yes” Signature meets 30 Texas Administrative Code (TAC) §305.44 and is original and has been provided for the Operator. |

Notice of Intent (NOI) for Storm Water Discharges Associated with Construction Activity under TPDES General Permit (TXR150000)

General Information and Instructions

GENERAL INFORMATION

Where to Send the Notice of Intent (NOI) and other related forms:

BY REGULAR U.S. MAIL

Texas Commission on Environmental Quality
Storm Water Processing Center (MC228)
P.O. Box 13087
Austin, TX 78711-3087

BY OVERNIGHT/EXPRESS MAIL

Texas Commission on Environmental Quality
Storm Water Processing Center (MC228)
12100 Park 35 Circle
Austin, TX 78753

TCEQ Contact list:

| | |
|--|--|
| Application Processing Questions relating to the status and form requirements: | 512/239-3700, 512/245-0130 or swpermit@tceq.state.tx.us |
| Technical Questions relating to the general permit: | 512/239-4671 or swgp@tceq.state.tx.us |
| Environmental Law Division: | 512/239-0600 |
| Records Management for obtaining copies of forms submitted to TCEQ: | 512/239-0900 |
| Information Services for obtaining reports from program data bases (as available): | 512/239-DATA (3282) |
| Financial Administration's Cashier's office: | 512/239-0357 or 512/239-0187 |

Notice of Intent Process:

When your NOI is received by the program, the form will be processed as follows:

- 1. Administrative Review:** Each item on the form will be reviewed for a complete response. In addition, the operator's legal name must be verified with Texas Secretary of State as valid and active (if applicable). The address(s) on the form must be verified with the US Postal service as an address receiving regular mail delivery. Never give an overnight/express mailing address.
- 2. Notice of Deficiency:** If an item is incomplete or not verifiable as indicated above, a notice of deficiency (NOD) will be mailed to the operator. The operator will have 30 days to respond to the NOD. The response will be reviewed for completeness.
- 3. Acknowledgment of Coverage:** An Acknowledgment Certificate will be mailed to the operator. This certificate acknowledges coverage under the general permit.

-or-

Denial of Coverage: If the application is too incomplete to process, or the operator fails to respond to the NOD or the response is inadequate, coverage under the general permit may be denied. If coverage is denied, the operator will be notified.

General Permit (Your Permit)

If filing the NOI through ePermits online application, coverage under the general permit begins the day the NOI is submitted to TCEQ through epermits. **Sign up now for on line NOI at <https://www6.tceq.state.tx.us/steers/>**

If mailing a paper NOI, coverage under the general permit begins **seven (7) days after a completed NOI is postmarked for delivery** to the TCEQ. You should have a copy of your general permit when submitting your application.

You may view and print your permit for which you are seeking coverage, on the TCEQ web site http://www.tceq.state.tx.us/permitting/water_quality/stormwater/TXR15_AIR.html.

General Permit Forms

The Notice of Intent (NOI), Notice of Termination (NOT), and Notice of Change (NOC) #20391 with instructions are available in Adobe Acrobat PDF format on the TCEQ web site http://www.tceq.state.tx.us/permitting/water_quality/stormwater/TXR15_AIR.html.
Sign up now for on line Notice of Termination application at <https://www6.tceq.state.tx.us/steers/>

Change in Operator

An authorization under the general permit is not transferable. If the operator or owner of the regulated entity changes, the present permittee must submit a Notice of Termination and the new operator must submit a Notice of Intent. The NOT and NOI must be submitted not later than 10 days prior to the change in Operator status.

TCEQ Central Registry Core Data Form

The Core Data Form has been incorporated into this form. **Do not send a core data form to TCEQ.**

After final acknowledgment of coverage under the general permit, the program will assign a Customer Number (CN) and Regulated Entity Number (RN). For Construction Permits, a new RN will be assigned for each Notice of Intent filed with TCEQ, since construction project sites can overlap with other Customers. The RN assigned to your construction project will not be assigned to any other TCEQ authorization.

You can find the information on the Central Registry web site at www4.tceq.state.tx.us/crpub. You can search by the Regulated Entity (RN), Customer Number (CN) or Name (Permittee), or by your permit number under the search field labeled "Additional ID". Capitalize all letters in the permit number.

The Customer (Permittee) is responsible for providing consistent information to the TCEQ, and for updating all CN and RN data for all authorizations as changes occur. For General Permits, a Notice of Change form must be submitted to the program area.

Application Fees:

\$225.00 application fee if submitting the NOI through ePermits.

\$325.00 application fee if submitting a paper NOI for processing.

The application fee is required to be paid at the time the NOI is submitted. Failure to submit payment at the time the application is filed will cause delays in acknowledgment or denial of coverage under the general permit.

• Mailed Payments:

DO NOT mail your check with the original Notice of Intent application.

Use the attached Application Fee payment submittal form if mailing the payment. Do not include a copy of the NOI.

BY REGULAR U.S. MAIL

Texas Commission on Environmental Quality
Financial Administration Division
Cashier's Office, MC-214
P.O. Box 13088
Austin, TX 78711-3088

BY OVERNIGHT/EXPRESS MAIL

Texas Commission on Environmental Quality
Financial Administration Division
Cashier's Office, MC-214
12100 Park 35 Circle
Austin, TX 78753

• ePAY Electronic Payment:

Go to www.tceq.state.tx.us/epay

Select Water Quality, then select the fee category "GENERAL PERMIT CONSTRUCTION STORM WATER DISCHARGE NOI APPLICATION".

You must include a copy of the payment voucher with your NOI. Your NOI will not be considered complete without the payment voucher.

The Annual Water Quality Fee has been consolidated into the Application Fee effective March 5, 2008. An annual fee will not be assessed and billed to operators on 9/1/2008. This does not relieve the operator of fees due for prior fiscal year assessments.

The operator will continue to receive an invoice for payment of any past due annual fee. A 5% penalty will be assessed if the payment is received by TCEQ after the due date. Annual fee assessments cannot be waived as long as the authorization under the general permit was active on September 1 of the FY billed.

INSTRUCTIONS FOR FILLING OUT THE NOI FORM

A. OPERATOR (As defined in the general permit.)

1. TCEQ Issued Customer Number (CN)

TCEQ's Central Registry will assign each customer a number that begins with "CN," followed by nine digits. **This is not a permit number**, registration number, or license number.

- If this customer has not been assigned a Customer Reference Number, leave the space for the Customer Reference Number blank.
- If this customer has already been assigned this number, enter the operator's Customer Reference Number in the space provided.

2. Legal Name

Provide the legal name of the facility operator, as authorized to do business in Texas. The name must be provided exactly as filed with the Texas Secretary of State (SOS), or on other legal documents forming the entity, that is filed in the county where doing business. You may contact the SOS at 512/463-5555, or go to <http://www.sos.state.tx.us/corp/contact.shtml> for more information related to filing in Texas. If filed in the county where doing business, provide a copy of the legal documents showing the legal name.

3. Name and Title of person signing the Notice of Intent application form. Signature meets 30 Texas Administrative Code (TAC) §305.44

4. Operator Mailing Address

Provide a complete mailing address for receiving mail from the TCEQ. The address must be verifiable with the US Postal Service at www.usps.com, for regular mail delivery (not overnight express mail). If you find that the address is not verifiable using the USPS web search, please indicate the address is used by the USPS for regular mail delivery.

5. Phone Number

This number should correspond to this customer's mailing address given earlier. Enter the area code and phone number here. Leave "Extension" blank if this customer's phone system lacks this feature.

6. Fax Number and E-mail Address

This number and E-mail address should correspond to operator's mailing address provided earlier. (Optional Information)

7. Type of Entity

Check only one box that identifies the type of entity. Use the descriptions below to identify the appropriate entity type:

Individual is a customer who has not established a business, but conducts an activity that needs to be regulated by the TCEQ.

Sole Proprietorship— D.B.A. is a customer that is owned by only one person and has not been incorporated. This business may:

- be under the person's name
- have its own name ("doing business as," or d.b.a.)
- have any number of employees

Partnership is a customer that is established as a partnership as defined by the Texas Secretary of State's Office.

Corporation the customer meets all of these conditions:

- is a legally incorporated entity under the laws of any state or country
- is recognized as a corporation by the Texas Secretary of State
- has proper operating authority to operate in Texas.

Government- Federal, state, county, or city government (as appropriate)

the customer is either an agency of one of these levels of government or the governmental body itself.

Other is Estate, Trust, etc.

the customer does not fit one of the above descriptions. Enter a short description of the type of customer in the blank provided.

8. Independent Operator

Check "No" if this customer is a subsidiary, part of a larger company, or is a governmental entity. Otherwise, check "Yes."

9. Number of Employees

Check one box to show the number of employees for this customer's entire company, at all locations. This is not necessarily the number of employees at the site named in the NOI.

10. State Franchise Tax ID Number

Corporations and limited liability companies that operate in Texas are issued a franchise tax identification number. If this customer is a corporation or limited liability company, enter this number here.

Federal Tax ID

All businesses, except for some small sole proprietors, individuals, or general partnerships should have a federal taxpayer identification number (TIN).

Enter this number here. Use no prefixes, dashes, or hyphens. Sole proprietors, individuals, or general partnerships do not need to provide a federal tax ID.

TX SOS Charter (filing) Number

Corporations and Limited Partnerships required to register with the Texas Secretary of State are issued a charter or filing number. You may obtain further information by calling SOS at 512/463-5555 <http://www.sos.state.tx.us/corp/contact.shtml>.

| |
|--|
| DUNS Number Most businesses have a DUNS (Data Universal Numbering System) number issued by Dun and Bradstreet Corp. If this customer has one, enter it here. |
| B. Application Contact Provide the name, title and communication information of the person that TCEQ can contact for additional information regarding this application. If the application is missing information and there is no contact person to call, the application may be denied. |
| C. REGULATED ENTITY (RE) INFORMATION ON PROJECT OR SITE |
| 1. <u>Regulated Entity Reference Number (RN)</u> This is a number issued by TCEQ's Central Registry to sites (a location where a regulated activity occurs) regulated by TCEQ. This is not a permit number, registration number, or license number. <ul style="list-style-type: none"> • If this Regulated Entity has not been assigned a Regulated Entity Number, leave this space blank. • If this customer has been assigned this number, enter the operator's Regulated Entity Number. |
| 2. <u>Site/Project Name/Regulated Entity</u> If the site is already regulated by TCEQ, use the same name as on the existing <u>Regulated Entity Reference Number (RN)</u> . If new, provide the name of the site as known by the public in the area where the site is located. The name you provide on this application will be used in the TCEQ Central Registry as the Regulated Entity. |
| 3. <u>Site/Project (RE) Physical Address</u> Section A: Enter the complete physical address of where the site is located. This must be a street number and street name for a complete physical address. This address must be validated through US Postal Service or your local police (911 service) as a valid address. Please confirm this to be a complete and valid address. In some rural areas, new addresses are being assigned to replace rural route addresses. Please do not use a rural route or post office box for a site location. Section B: If a site does not have an actual physical address that includes a street number and street name, then provide a complete written location access description, and the zip code and city where the site is located. For example: "The site is located 2 miles west from intersection of Hwy 290 & IH35, located on the southwest corner of the Hwy 290 South bound lane." This includes authorizations for construction projects such as highways and subdivision. |
| 4. Identify the County where the site is located. If the site covers more than one county, provide the county that is most affected by the authorized activity and list the additional county(s) as secondary. |
| 5. <u>Latitude and Longitude</u> Enter the latitude and longitude of the site in either degrees, minutes, and seconds or decimal form. For help obtaining the latitude and longitude, go to: TCEQ USGS Topographic Map Viewer or TerraServer-USA |
| 6. <u>Description of Activity Regulated</u> In your own words, briefly describe the primary business being conducted at the site. (A description specific to what you are doing that requires this authorization - Do not repeat the SIC Code(s).) |
| SITE MAILING ADDRESS Provide a complete mailing address to be used by TCEQ for receiving mail at the site. In most cases, the address is the same as the operator. If so, simply place a check mark in the box. If you provide a different address, please verify the address with USPS as instructed above for the operator address. |
| D. GENERAL CHARACTERISTICS |
| 1. Indian Country Lands If your site is located on Indian Country Lands, the TCEQ does not have authority to process your application. You must obtain authorization through EPA, Region VI, Dallas. Do not submit this form to TCEQ. Indian Country means (1) all land within the limits of any American Indian reservation under the jurisdiction of the U.S. government, notwithstanding the issuance of any patent, and including rights-of-way running throughout the reservation; (2) all dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or outside the limits of a State; and (3) all Indian allotments, the Indian titles which have not been extinguished, including rights-of-way running through the same. Indian Tribe means any Indian Tribe, band, nation, or community recognized by the Secretary of the Interior and exercising substantial governmental duties and powers. |
| 2. Standard Industrial Classification (SIC) code Provide the SIC code that best describes the construction activity being conducted at the site. Common SIC Codes related to construction activities include: 1521 Construction of Single Family Homes; 1522 Construction of Residential Bldgs. Other than Single Family Homes; 1541 Construction of Industrial Bldgs. and Warehouses; 1542 Construction of Non-residential Bldgs. other than Industrial Bldgs. and Warehouses; 1611 Highway & Street Construction, except Highway Construction; 1622 Bridge, Tunnel, & Elevated Highway Construction; 1623 Water, Sewer, Pipeline & Communications, and Power Line Construction. For help with SIC codes, go to: www.osha.gov/oshstats/sicsr.html |

3. Estimated Area of Land Disturbed

- 3(a). Provide the approximate number of acres that the construction site will disturb.
- 3(b). Indicate is the site is part of a common plan of development or for sale.

Construction activities that disturb less than one acre, unless they are part of a larger common plan that disturbs more than one acre, do not require permit coverage.

Construction activities that disturb between one and five acre, unless they are part of a common plan that disturbs five acres or more acres, do not require submission of an NOI. Therefore, the estimated area of land disturbed should not be less than five, unless the project is part of a larger common plan that disturbs five or more acres.

"Disturb" means any clearing, grading, excavating, or other similar activities. If you have any questions about this item, please call the storm water technical staff at (512)239-4671.

4. Discharge Information

4 (a). The storm water may be discharged directly to a receiving stream or through a MS4* from your site. It eventually reaches a receiving water body such as a local stream or lake, possibly via a drainage ditch. You must provide the name of the water body that receives the discharge from the site (a local stream or lake).

4 (b). The classified segment number(s) is REQUIRED to get coverage. Go to the link to find the segment number of the classified water body where storm water will flow <http://www.tceq.state.tx.us/compliance/monitoring/water/quality/data/wqm/viewer/viewer.html> . Call Water Quality Assessments at 512/239-4671 for further assistance.

4 (c). If any surface water body(s) receiving discharges from the construction site are on the latest EPA-approved CWA § 303(d) list of impaired waters, provide the name(s) of the water body(s).

EPA approved CWA 303d list of impaired waters can be found at: [Texas Water Quality Inventory and 303\(d\) List - Texas Commission on Environmental Quality - www.tceq.state.tx.us](http://www.tceq.state.tx.us)

4 (d). Identify the MS4* Operator name if the storm water discharge is into an MS4.

***MS4 is an acronym for Municipal separate storm sewer system. MS4 is defined as a separate storm sewer system owned or operated by a state, city, town, county, district, association, or other public body (created by or pursuant to state law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under state law such as a sewer district, flood control or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, that discharges to water in the state.**

For assistance, you may call the technical staff of the Water Quality Assessment & Standards Section at 512/239-4671.

4 (e). Edwards Aquifer Rule

See maps on the TCEQ website to determine if the site is located within the Recharge Zone, Contributing Zone, or Contributing Zone within the Transition Zone of the Edwards Aquifer at http://www.tceq.state.tx.us/compliance/field_ops/eapp/viewer.html.

If the discharge or potential discharge is within the Recharge Zone, Contributing Zone, or Contributing Zone within the Transition Zone of the Edwards Aquifer, a site specific authorization approved by the Executive Director under the Edwards Aquifer Protection Program (30 TAC Chapter 213) is required before construction can begin.

The general permit requires the approved Contributing Zone Plan or Water Pollution Abatement Plan to be included as a part of the Storm Water Pollution Prevention Plan. The certification must be answered "Yes" for coverage under the general permit.

E. CERTIFICATIONS

Failure to indicate "Yes" to ALL of the certification items may result in denial of coverage under the general permit.

The certification must bear an original signature of a person meeting the signatory requirements specified under 30 Texas Administrative Code §305.44

IF YOU ARE A CORPORATION:

The regulation that controls who may sign an NOI or similar form is 30 Texas Administrative Code §305.44(a)(1) (see below). According to this code provision, any corporate representative may sign an NOI or similar form so long as the authority to sign such a document has been delegated to that person in accordance with corporate procedures. By signing the NOI or similar form, you are certifying that such authority has been delegated to you. The TCEQ may request documentation evidencing such authority.

IF YOU ARE A MUNICIPALITY OR OTHER GOVERNMENT ENTITY:

The regulation that controls who may sign an NOI or similar form is 30 Texas Administrative Code §305.44(a)(3) (see below). According to this code provision, only a ranking elected official or principal executive officer may sign an NOI or similar form. Persons such as the City Mayor or County Commissioner will be considered ranking elected officials. In order to identify the principal executive officer of your government entity, it may be beneficial to consult your city charter, county or city ordinances, or the Texas statute(s) under which your government entity was formed. An NOI or

similar document that is signed by a government official who is not a ranking elected official or principal executive officer does not conform to §305.44(a)(3). The signatory requirement may not be delegated to a government representative other than those identified in the regulation. By signing the NOI or similar form, you are certifying that you are either a ranking elected official or principal executive officer as required by the administrative code. Documentation demonstrating your position as a ranking elected official or principal executive officer may be requested by the TCEQ.

If you have any questions or need additional information concerning the signatory requirements discussed above, please contact the Texas Commission on Environmental Quality's Environmental Law Division at 512/239-0600.

30 Texas Administrative Code

§305.44. Signatories to Applications.

(a) All applications shall be signed as follows.

(1) For a corporation, the application shall be signed by a responsible corporate officer. For purposes of this paragraph, a responsible corporate officer means a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures. Corporate procedures governing authority to sign permit or post-closure order applications may provide for assignment or delegation to applicable corporate positions rather than to specific individuals.

(2) For a partnership or sole proprietorship, the application shall be signed by a general partner or the proprietor, respectively.

(3) For a municipality, state, federal, or other public agency, the application shall be signed by either a principal executive officer or a ranking elected official. For purposes of this paragraph, a principal executive officer of a federal agency includes the chief executive officer of the agency, or a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., regional administrator of the EPA).

Texas Administrative Code

TITLE 30

PART 1

CHAPTER 305

SUBCHAPTER C

RULE §305.44

ENVIRONMENTAL QUALITY

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

CONSOLIDATED PERMITS

APPLICATION FOR PERMIT OR POST-CLOSURE ORDER

Signatories to Applications

(a) All applications shall be signed as follows.

(1) For a corporation, the application shall be signed by a responsible corporate officer. For purposes of this paragraph, a responsible corporate officer means a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures. Corporate procedures governing authority to sign permit or post-closure order applications may provide for assignment or delegation to applicable corporate positions rather than to specific individuals.

(2) For a partnership or sole proprietorship, the application shall be signed by a general partner or the proprietor, respectively.

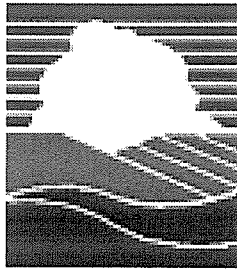
(3) For a municipality, state, federal, or other public agency, the application shall be signed by either a principal executive officer or a ranking elected official. For purposes of this paragraph, a principal executive officer of a federal agency includes the chief executive officer of the agency, or a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., regional administrator of the EPA).

(b) A person signing an application shall make the following certification: "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

(c) For a hazardous solid waste permit or a post-closure order, the application must be signed by the owner and operator of the facility.

(d) For radioactive material license applications under Chapter 336 of this title (relating to Radioactive Substance Rules), the applicant or person duly authorized to act for and on the applicant's behalf must sign the application.

Source Note: The provisions of this §305.44 adopted to be effective June 19, 1986, 11 TexReg 2591; amended to be effective July 14, 1987, 12 TexReg 2102; amended to be effective October 8, 1990, 15 TexReg 5492; amended to be effective June 5, 1997, 22 TexReg 4583; amended to be effective January 30, 2003, 28 TexReg 705

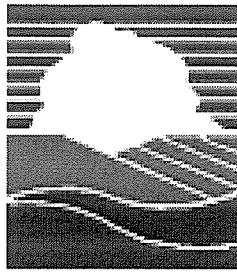


LARGE CONSTRUCTION SITE NOTICE

FOR THE
Texas Commission on Environmental Quality (TCEQ)
Storm Water Program
TPDES GENERAL PERMIT TXR150000
“PRIMARY OPERATOR” NOTICE

This notice applies to construction sites operating under Part II.E.3. of the TPDES General Permit Number TXR150000 for discharges of storm water runoff from construction sites equal to or greater than five acres, including the larger common plan of development. The information on this notice is required in Part III.E.2. of the general permit. This notice shall be posted along with a copy of the signed Notice of Intent (NOI), as applicable. Additional information regarding the TCEQ storm water permit program may be found on the internet at: http://www.tceq.state.tx.us/nav/permits/sw_permits.html

| | |
|---|---|
| Site-Specific TPDES Authorization Number: | |
| Operator Name: | San Antonio Water System |
| Contact Name and Phone Number: | Patrick O'Connor (210) 233-3020 |
| Project Description: <i>Physical address or description of the site's location, and estimated start date and projected end date, or date that disturbed soils will be stabilized.</i> | From approximately 100 feet west of Pearsall Road to Approximately 2,200 feet west of Cagnon Road Start Date: 02/20/12 Finish Date: 08/16/13 |
| Location of Storm Water Pollution Prevention Plan: | |

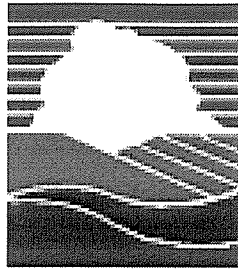


LARGE CONSTRUCTION SITE NOTICE

FOR THE
Texas Commission on Environmental Quality (TCEQ)
Storm Water Program
TPDES GENERAL PERMIT TXR150000
“PRIMARY OPERATOR” NOTICE

This notice applies to construction sites operating under Part I.E.3. of the TPDES General Permit Number TXR150000 for discharges of storm water runoff from construction sites equal to or greater than five acres, including the larger common plan of development. The information on this notice is required in Part III.E.2. of the general permit. This notice shall be posted along with a copy of the signed Notice of Intent (NOI), as applicable. Additional information regarding the TCEQ storm water permit program may be found on the internet at: http://www.tceq.state.tx.us/nav/permits/sw_permits.html

| | |
|---|---|
| Site-Specific TPDES Authorization Number: | |
| Operator Name: | |
| Contact Name and Phone Number: | |
| Project Description: <i>Physical address or description of the site's location, and estimated start date and projected end date, or date that disturbed soils will be stabilized.</i> | From approximately 100 feet west of Pearsall Road to Approximately 2,200 feet west of Cagnon Road Start Date: 02/20/12 Finish Date: 08/16/13 |
| Location of Storm Water Pollution Prevention Plan: | |



LARGE CONSTRUCTION SITE NOTICE

FOR THE
Texas Commission on Environmental Quality (TCEQ)
Storm Water Program
TPDES GENERAL PERMIT TXR150000
“SECONDARY OPERATOR” NOTICE

This notice applies to secondary operators of construction sites operating under Part II.E.3. of the TPDES General Permit Number TXR150000 for discharges of storm water runoff from construction sites equal to or greater than five acres, including the larger common plan of development. The information on this notice is required in Part III.E.2. of the general permit. Additional information regarding the TCEQ storm water permit program may be found on the internet at: http://www.tceq.state.tx.us/nav/permits/sw_permits.html

| | |
|---|--|
| Site-Specific TPDES Authorization Number: | |
| Operator Name: | |
| Contact Name and Phone Number: | |
| Project Description: <i>Physical address or description of the site's location, and estimated start date and projected end date, or date that disturbed soils will be stabilized.</i> | |
| Location of Storm Water Pollution Prevention Plan (SWP3): | |

For Large Construction Activities Authorized Under Part II.E.3. (Obtaining Authorization to Discharge) the following certification must be completed:

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

Signature and Title _____ Date _____

Date Notice Removed

MS4 operator notified per Part II.F.3.

**STORMWATER QUALITY
SITE DEVELOPMENT
PERMIT APPLICATION
(Bexar County)**



BEXAR COUNTY
 INFRASTRUCTURE SERVICES DEPARTMENT
 ENVIRONMENTAL SERVICES DIVISION
 233 N. Pecos - La Trinidad, Suite 420
 San Antonio, TX 78207
 (210)335-6700 (voice)
 (210)335-6713 (fax)

SITE DEVELOPMENT PERMIT APPLICATION
STORM WATER QUALITY

Project Name: Medina River Sewer Outfall: Segment 5
 SAWS Job #12-2504

Date of Application:

Job Location:
 From approx. 100 ft. west of Pearsall Road
 to approx. 2,200 ft. west of Cagnon Road

Property Owner/Developer: San Antonio Water System

Address:
 2800 U.S. Highway 281 North
 San Antonio, TX 78212

Phone: (210) 233-3020

Fax: (210) 233-5468

TCEQ Notice of Intent (NOI) Number:

Contact Name:

Contact Phone:

Contact Email:

Anticipated Work Start Date: 02/20/12

Anticipated Work Stop Date: 08/16/13

Parcel Number: N/A

Lot: N/A

Block: N/A

Subdivision: N/A

Work Description:
 Construction of 1-60", 1-42" and 1-36" sewer outfall including clearing, grubbing, trenching, tunneling or boring, sewer outfall installation, trench backfilling and project stabilization.

Submittal Requirements:

Commercial or Development over 5 Acres of Disturbance: Two (2) sets of Storm Water Management Plan (see example)

Residential or Development under 5 Acres of Disturbance: Two (2) sets of 11"x17" plans w/ narrative (must include SW3P w/ details, Drainage, and Grading) (see example)

Dewatering Plan (if applicable)

Site Development Permit Fee (\$500)

Project Type:

Single Family/Duplex/Townhouse

Manufactured Home

Multi-Family

Remodel or Addition

Commercial

Subdivision

Demolition

Other (please explain below)

Project Details:

N/A Number of Units (ex. 1,2, etc.)

N/A Number of Lots (ex. 1,2,etc.)

64 +/- Acreage of Development (ex. 5 ac)

N/A Acreage of Green Spaces (ex. 1 ac)

64 +/- Acreage of Total Disturbance (ex. 3 ac)

Yes Tree Survey Completed (yes or no)

Yes ESA Survey Completed (yes or no)

To remit site development fee, please make checks payable to:

BEXAR COUNTY CLERK
 233 N. Pecos - La Trinidad, Suite 420
 San Antonio, TX 78207

ADMINISTRATIVE USE ONLY:

Site Development Permit Number:

Reviewed By:

Approval:
 Accepted
 Denied

Application Date:

NOTICE:

It is the obligation of the Owner to ensure that erosion control measures SHALL be in place prior to commencement of grading, or stockpiling, and shall be maintained throughout construction as per plan. The Owner expressly grants the County a right of entry during construction to enter the site described in this application, to inspect the property, and provide direction for necessary sediment/erosion control if the permittee fails to do so. Failure to properly install sediment/erosion control will result in re-inspection and/or further penalties from County to include a \$1,000 fine or lien.

The Permittee shall:

1. Comply with Court Order on Bexar County regulations for storm water pollution prevention.
2. Install erosion and sediment control BMPs prior to beginning work on a site.
3. Notify Bexar County Stormwater Quality Program at least three (3) working days before:
 - a. Start of construction,
 - b. Completion of site clearing,
 - c. Completion of final grading,
 - d. Temporary stabilization occurs, and
 - e. Completion of final landscaping.
4. Implement the approved plans throughout the site development.
5. If BMPs need maintenance, repair, or replace; then perform task as soon as possible, but no later than ten (10) calendar days.
6. Install additional measures at the direction of the County due to changed site conditions, BMP ineffectiveness, or BMP failure.
7. After fourteen (14) days of cease of construction operations, temporary stabilization needs to be in place.
8. After twenty-one (21) days of cease of construction operations, final stabilization needs to be in place.
9. Revise the Stormwater Management Plan and site map when changes are made on-site.
10. Terminate the Site Development Permit when the site reaches permanent stabilization.
11. Remove temporary BMPs prior to the the Site Development Permit being terminated.

This permit is issued to the permittee for a specific operation and location. It cannot be reassigned, transferred, or sold to a new user, different premises or a new or changed operation by a new owner unless the new owner or designee obtains a separate Site Development Permit. Failure to obtain an approved Site Development Permit prior to beginning any construction activity or land clearing can result in a fine of up to \$1,000 per calendar day until a permit is issued.

"I certify under penalty of law that I understand the terms and conditions of the Texas Pollutant Discharge Elimination System (TPDES) General Permit for Stormwater Discharges for Construction Activities that authorizes the stormwater discharges associated to activities from the construction site identified as part of this certification. Further, by my signature, I understand that I am fully responsible, along with all other contractors and subcontractors who are performing work activities under this contract to comply with all provisions and requirements of the TPDES General Permit for Stormwater Discharges from Construction Activities and this Site Development Permit Application for Storm Water Quality."

Authorized Agent (Print Name):

Title:

Signature:

Date:

MEDINA RIVER SEWER OUTFALL: SEGMENT 5 (SAWS JOB #12-2505)
Storm Water Pollution Prevention Plan

NOI TRACKING FORM

| Owner/Operator Name | Owner/Operator Signature | NOI Submittal Date | TCEQ Approval Date | General Permit Authorization Number |
|---------------------|--------------------------|--------------------|--------------------|-------------------------------------|
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Note: Until the TCEQ responds to receipt of the NOI with a general permit authorization number, the SWP3 must specify the date that the NOI was submitted to TCEQ by each operator.

Texas Administrative Code

| | |
|--------------|--|
| TITLE 30 | ENVIRONMENTAL QUALITY |
| PART 1 | TEXAS COMMISSION ON ENVIRONMENTAL QUALITY |
| CHAPTER 305 | CONSOLIDATED PERMITS |
| SUBCHAPTER C | APPLICATION FOR PERMIT OR POST-CLOSURE ORDER |
| RULE §305.44 | Signatories to Applications |

(a) All applications shall be signed as follows.

(1) For a corporation, the application shall be signed by a responsible corporate officer. For purposes of this paragraph, a responsible corporate officer means a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures. Corporate procedures governing authority to sign permit or post-closure order applications may provide for assignment or delegation to applicable corporate positions rather than to specific individuals.

(2) For a partnership or sole proprietorship, the application shall be signed by a general partner or the proprietor, respectively.

(3) For a municipality, state, federal, or other public agency, the application shall be signed by either a principal executive officer or a ranking elected official. For purposes of this paragraph, a principal executive officer of a federal agency includes the chief executive officer of the agency, or a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., regional administrator of the EPA).

(b) A person signing an application shall make the following certification: "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

(c) For a hazardous solid waste permit or a post-closure order, the application must be signed by the owner and operator of the facility.

(d) For radioactive material license applications under Chapter 336 of this title (relating to Radioactive Substance Rules), the applicant or person duly authorized to act for and on the applicant's behalf must sign the application.

Source Note: The provisions of this §305.44 adopted to be effective June 19, 1986, 11 TexReg 2591; amended to be effective July 14, 1987, 12 TexReg 2102; amended to be effective October 8, 1990, 15 TexReg 5492; amended to be effective June 5, 1997, 22 TexReg 4583; amended to be effective January 30, 2003, 28 TexReg 705

INSPECTION RECORD

MEDINA RIVER SEWER OUTFALL: SEGMENT 5 (SAWS JOB #12-2505)
Storm Water Pollution Prevention Plan

SWP3 INSPECTION FORM

Project Name: _____ **Permit No.:** _____

Address/Location: _____

Operator: _____ **Inspector:** _____

Date: _____

| Administrative/Reporting | | | | |
|--|------------------|-----------|------------|------------------------------|
| | Compliant | | | Corrective Action No. |
| | Yes | No | N/A | |
| Is the SWP3 available on site? | | | | |
| Has a copy of the NOI/NOC/CSN been submitted? | | | | |
| Does the SWP3 reference other site operators? | | | | |
| Does the SWP3 clearly identify each plan-sharer's responsibilities including common areas? | | | | |
| Is the permit number listed for large construction sites in a shared SWP3? | | | | |
| Does the SWP3 contain a copy of the Permit language? | | | | |
| Are inspections being conducted? | | | | |
| Do the inspection reports meet signatory requirements? | | | | |
| Is the SWP3 modified based on project changes or inspection reports? | | | | |
| Has the site map been updated to indicate the current location of all BMPs? | | | | |
| Does the plan include a record of dates when major grading activities occur? | | | | |
| Does the plan include a record of dates when construction is temporarily halted? | | | | |
| Does the plan include a record of dates when stabilization measures are initiated? | | | | |
| Does the plan include construction materials stored on site? | | | | |
| Does the plan include waste materials stored on site? | | | | |

MEDINA RIVER SEWER OUTFALL: SEGMENT 5 (SAWS JOB #12-2505)
Storm Water Pollution Prevention Plan

| Site Evaluation | | | | |
|---|------------------|-----------|------------|------------------------------|
| | Compliant | | | Corrective Action No. |
| | Yes | No | N/A | |
| Are the required TPDES notifications properly posted (NOI/CSN)? | | | | |
| Are the areas outside the construction limits free of sediment? | | | | |
| Are the areas outside of the construction limits free of waste materials / debris / litter? | | | | |
| Are the adjacent streets free of off-site sediment? | | | | |
| Are interior streets free of sediment? | | | | |
| Are the storm drains free of sediment? | | | | |
| Are outfalls or discharge points properly controlled with BMPs? | | | | |
| Are the construction entrance/exit BMPs installed and functioning properly? | | | | |
| Are equipment storage areas in use with appropriate BMPs? | | | | |
| Is there evidence of stained soil from vehicular equipment? | | | | |
| Are material storage areas in use with appropriate BMPs? | | | | |
| Are fuels, lubricants, chemicals, etc. properly stored? | | | | |
| Is waste collected and properly contained? | | | | |
| Are disturbed soils areas properly controlled with appropriate BMPs? | | | | |
| Is dust being controlled? | | | | |
| Are disturbed areas appropriately stabilized? | | | | |
| Are concrete truck washout pits constructed and utilized properly? | | | | |
| Are portable toilets maintained properly? | | | | |
| Are BMPs in use? | | | | |
| Are BMPs being maintained? | | | | |
| Are BMPs adequate? | | | | |
| Are vegetated buffer strips functioning properly? | | | | |
| Are temporary sediment control ponds in place? | | | | |
| Is sediment level in ponds in compliance? | | | | |
| Are drainage channels functioning properly? | | | | |
| Are rock berms installed and functioning properly? | | | | |
| Are silt fences installed and functioning properly? | | | | |
| Is inlet protection installed and functioning properly? | | | | |
| Are erosion blankets installed and functioning properly? | | | | |

MEDINA RIVER SEWER OUTFALL: SEGMENT 5 (SAWS JOB #12-2505)
Storm Water Pollution Prevention Plan

| Site Evaluation - continued | | | | |
|--|------------------|-----------|------------|------------------------------|
| | Compliant | | | Corrective Action No. |
| | Yes | No | N/A | |
| Are straw wattles installed and functioning properly? | | | | |
| Is mulch installed and functioning properly? | | | | |
| Are cutback curbs being utilized and functioning properly? | | | | |
| Are other BMPs installed and functioning properly? | | | | |
| Has sod or hydroseeding been installed properly? | | | | |
| Is permanent or temporary vegetation established? | | | | |

_____ **A brief statement describing the qualifications of the inspector is included in this SWP3.**

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

"I further certify I am an authorized signatory in accordance with the provisions of 30 TAC §305.128."

Inspector's Name

Inspector's Signature

Date

Date

Mark R. Vickery, P.G.
Texas Commission on Environmental Quality
12100 Park 35 Circle, MC 109
Austin, Texas 78753

Project Name: Medina River Sewer Outfall: Segment 5 (SAWS Job #12-2505)
TPDES Storm Water General Permit _____
Delegating an "Authorized Representative"

Dear Director:

This letter serves to designate either a person(s) or specifically described position(s) as an authorized person(s) for signing reports, storm water pollution prevention plans, certifications or other information requested by the Executive Director or required by the permit. This authorization cannot be used for signing a TPDES permit application (e.g. Notice of Intent (NOI)) in accordance with 30 TAC §305.44. The following person(s) or position(s) is hereby authorized to sign reports, plans or certifications other than NOI forms, NOT forms, NOC letters, and Construction Site Notices.

(Name or Position)

(Name or Position)

(Name or Position)

(Name or Position)

By signing this authorization, I confirm that I meet the following requirements to make such a designation as set forth in 30 TAC §305.44 as follows:

- For a corporation, the application shall be signed by a responsible corporate officer. For purposes of this paragraph, a responsible corporate officer means a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures

exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures. Corporate procedures governing authority to sign permit or post-closure order applications may provide for assignment or delegation to applicable corporate positions rather than to specific individuals.

- For a partnership or sole proprietorship, the application shall be signed by a general partner or the proprietor, respectively.
- For a municipality, state, federal, or other public agency, the application shall be signed by either a principal executive officer or a ranking elected official. For purposes of this paragraph, a principal executive officer of a federal agency includes the chief executive officer of the agency, or a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., regional administrator of the EPA).

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Name

Title

Date

Texas Administrative Code

| | |
|---------------|---|
| TITLE 30 | ENVIRONMENTAL QUALITY |
| PART 1 | TEXAS COMMISSION ON ENVIRONMENTAL QUALITY |
| CHAPTER 305 | CONSOLIDATED PERMITS |
| SUBCHAPTER F | PERMIT CHARACTERISTICS AND CONDITIONS |
| RULE §305.128 | Signatories to Reports |

(a) All reports requested by permits and other information requested by the executive director shall be signed by a person described in §305.44(a) of this title (relating to Signatories to Applications) or by a duly authorized representative of that person. A person is a duly authorized representative only if:

- (1) the authorization is made in writing by a person described in §305.44(a) of this title (relating to Signatories to Applications);
 - (2) the authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity or for environmental matters for the applicant, such as the position of plant manager, operator of a well or well field, environmental manager, or a position of equivalent responsibility. (A duly authorized representative may thus be either a named individual or any individual occupying a named position); and
 - (3) the written authorization is submitted to the executive director.
- (b) If an authorization under this section is no longer accurate because of a change in individuals or position, a new authorization satisfying the requirements of this section must be submitted to the executive director prior to or together with any reports, information, or applications to be signed by an authorized representative.
- (c) Any person signing a report required by a permit shall make the certification set forth in §305.44(b) of this title (relating to Signatories to Applications).

Source Note: The provisions of this §305.128 adopted to be effective June 19, 1986, 11 TexReg 2597; amended to be effective July 14, 1987, 12 TexReg 2102; amended to be effective October 8, 1990, 15 TexReg 5492.

INSPECTOR'S QUALIFICATIONS

PLAN MODIFICATIONS

NOTICE OF TERMINATION



**Notice of Termination (NOT)
for Authorizations under
TPDES General Permit TXR150000**

TCEQ Office Use Only
Permit No.:
RN:
CN:



**Sign up now for on line NOT at <http://www.tceq.state.tx.us/permitting/steers/steers.html>
Get your NOT Confirmation letter immediately after submitting the on line NOT form.**

What is the permit number to be terminated?

Processing will be delayed without the permit number. TXR15_____

A. OPERATOR (applicant)

1. What is the Customer Number (CN) issued to this entity? CN 600529069

2. What is the full Legal Name of the current permittee?

San Antonio Water System

This must be the current permittee of the permit to be terminated.

3. What is the applicant's mailing address as recognized by the US Postal Service?

Address: 2800 U.S. Highway 281 North Suite No./Bldg. No./Mail Code:

City: San Antonio State: Texas ZIP Code: 78212

Country Mailing Information (if outside USA). Country Code: Postal Code:

4. Phone No.: (210) 233-3020 Extension:

5. Fax No.: (210) 233-5468 E-mail Address:

B. REGULATED ENTITY (RE) INFORMATION ON PROJECT OR SITE

1. What is the TCEQ Issued RE Reference Number (RN)? RN _____

2. Name of Project or Site as currently permitted:

Medina River Sewer Outfall: Segment 5 (SAWS Job No. 12-2504)

(example: phase and name of subdivision or name of project that's unique to the site)

3. Physical Address of Project or Site as currently permitted: (enter in spaces below)

| | |
|----------------|--------------------------|
| Street Number: | Street Name: |
| City: | ZIP Code: |
| | County (Counties if >1): |

4. If no physical address (Street Number & Street Name), provide the written location access description to the site:

From approximately 240 feet west of Somerset Road to approximately 100 feet west of Pearsall Road

C. REASON FOR TERMINATION

Check the reason for termination:

- Final stabilization has been achieved on all portions of the site that are the responsibility of the Operator and all silt fences and other temporary erosion controls have either been removed, or scheduled for removal as defined in the SWP3.
- Another permitted Operator has assumed control over all areas of the site that have not been finally stabilized, and temporary erosion controls that have been defined in the SWP3 have been transferred to the new Operator.
- The activity is now authorized under an alternate TPDES permit.
- The activity never began at this site that is regulated under the general permit.

D. CERTIFICATION

I, _____ Title _____
Typed or printed name

certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

I further certify that I am authorized under 30 Texas Administrative Code §305.44 to sign and submit this document, and can provide documentation in proof of such authorization upon request.

Signature: _____ Date: _____
(Use blue ink)



**Notice of Termination (NOT)
for Authorizations under
TPDES General Permit TXR150000**

TCEQ Office Use Only
Permit No.:
RN:
CN:



**Sign up now for on line NOT at <http://www.tceq.state.tx.us/permitting/steers/steers.html>
Get your NOT Confirmation letter immediately after submitting the on line NOT form.**

What is the permit number to be terminated?

Processing will be delayed without the permit number. TXR15_____

A. OPERATOR (applicant)

1. What is the Customer Number (CN) issued to this entity? CN _____
2. What is the full Legal Name of the current permittee?

This must be the current permittee of the permit to be terminated.

3. What is the applicant's mailing address as recognized by the **US Postal Service**?

| | | | |
|---|-----------------|--------------------------------|--------------|
| Address: | | Suite No./Bldg. No./Mail Code: | |
| City: | State: | Country Code: | ZIP Code: |
| Country Mailing Information (if outside USA): | | Country Code: | Postal Code: |
| 4. Phone No.: () | Extension: | | |
| 5. Fax No.: () | E-mail Address: | | |

B. REGULATED ENTITY (RE) INFORMATION ON PROJECT OR SITE

1. What is the TCEQ Issued RE Reference Number (RN)? RN _____

2. Name of Project or Site as currently permitted:
Medina River Sewer Outfall: Segment 5 (SAWS Job No. 12-2504)
(example: phase and name of subdivision or name of project that's unique to the site)

3. Physical Address of Project or Site as currently permitted: (enter in spaces below)

| | | | |
|----------------|-----------|--------------------------|--|
| Street Number: | | Street Name: | |
| City: | ZIP Code: | County (Counties if >1): | |

4. If no physical address (Street Number & Street Name), provide the written location access description to the site:
From approximately 240 feet west of Somerset Road to approximately 100 feet west of Pearsall Road

C. REASON FOR TERMINATION

Check the reason for termination:

- Final stabilization has been achieved on all portions of the site that are the responsibility of the Operator and all silt fences and other temporary erosion controls have either been removed, or scheduled for removal as defined in the SWP3.
- Another permitted Operator has assumed control over all areas of the site that have not been finally stabilized, and temporary erosion controls that have been defined in the SWP3 have been transferred to the new Operator.
- The activity is now authorized under an alternate TPDES permit.
- The activity never began at this site that is regulated under the general permit.

D. CERTIFICATION

I, _____
Typed or printed name
Title

certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

I further certify that I am authorized under **30 Texas Administrative Code §305.44** to sign and submit this document, and can provide documentation in proof of such authorization upon request.

Signature: _____ Date: _____
(Use blue ink)

**Notice of Termination (NOT) for Authorizations under
TPDES General Permit TXR150000
General Information and Instructions**

GENERAL INFORMATION

Where to Send the Notice of Intent (NOI):

BY REGULAR U.S. MAIL

Texas Commission on Environmental Quality

Storm Water Processing Center (MC228)

P.O. Box 13087

Austin, TX 78711-3087

BY OVERNIGHT/EXPRESS MAIL

Texas Commission on Environmental Quality

Storm Water Processing Center (MC228)

12100 Park 35 Circle

Austin, TX 78753

TCEQ Contact list:

| | |
|--|------------------------------|
| Application Processing Questions relating to the status and form requirements: | 512/239-4671 |
| Technical Questions relating to the general permit: | 512/239-4671 |
| Environmental Law Division: | 512/239-0600 |
| Records Management for obtaining copies of forms submitted to TCEQ: | 512/239-0900 |
| Information Services for obtaining reports from program data bases (as available): | 512/239-DATA (3282) |
| Financial Administration's Cashier's office: | 512/239-0357 or 512/239-0187 |

Notice of Termination Process:

A Notice of Termination is **effective on the date postmarked for delivery to TCEQ**.

When your NOT is received by the program, the form will be processed as follows:

1. **Administrative Review:** The form will be reviewed to confirm the following:

- the permit number is provided
- the permit is active and has been approved
- the entity terminating the permit is the current permittee
- the site information matches the original permit record
- the form has the required original signature with title and date

2. **Notice of Deficiency:** If an item is incomplete or not verifiable as indicated above, a phone call will be made to the applicant to clear the deficiency.

A letter will not be sent to the permittee if unable to process the form.

3. **Confirmation of Termination:** A Notice of Termination Confirmation letter will be mailed to the operator.

General Permit (Your Permit)

Coverage under the general permit begins **48 hours after a completed NOI is postmarked for delivery to the TCEQ**. You should have a copy of your general permit when submitting your application. You may view and print your permit for which you are seeking coverage, on the TCEQ web site www.tceq.state.tx.us

General Permit Forms

The Notice of Intent (NOI), Notice of Termination (NOT), and Notice of Change (NOC) with instructions are available in Adobe Acrobat PDF format on the TCEQ web site www.tceq.state.tx.us.

Change in Operator

An authorization under the general permit is not transferable. If the operator or owner of the regulated entity changes, the present permittee must submit a Notice of Termination and the new operator must submit a Notice of Intent. The NOT and NOI must be submitted not later than 10 days prior to the change in Operator status.

TCEQ Central Registry Core Data Form

The Core Data Form has been incorporated into this form. **Do not send a core data form to TCEQ.**

After final acknowledgment of coverage under the general permit, the program will assign a Customer Number (CN) and Regulated Entity Number (RN). For Construction Permits, a new RN will be assigned for each Notice of Intent filed with TCEQ, since construction project sites can overlap with other Customers. The RN assigned to your construction project will not be assigned to any other TCEQ authorization.

You can find the information on the Central Registry web site at <https://www6.tceq.state.tx.us/epay/>. You can search by the Regulated Entity (RN), Customer Number (CN) or Name (Permittee), or by your permit number under the search field labeled "Additional ID" Capitalize all letters in the permit number.

The Customer (Permittee) is responsible for providing consistent information to the TCEQ, and for updating all CN and RN data for all authorizations as changes occur. For General Permits, a Notice of Change form must be submitted to the program area.

Annual Water Quality Fee: This fee is assessed to operators with an active authorization under the general permit on September 1 of each year. The operator will receive an invoice for payment of the annual fee in November of each year. The payment will be due 30 days from the invoice date. A 5% penalty will be assessed if the payment is received by TCEQ after the due date. Annual fee assessments cannot be waived as long as the authorization under the general permit is active on September 1.

It's important for the operator to submit a **Notice of Termination (NOT)** when coverage under the general permit is no longer required. A NOT is effective on the postmarked date of mailing the form to TCEQ. It is recommended that the NOT be mailed using a method that documents the date mailed and received by TCEQ.

• **Mailed Payments:**

You must return your payment with the billing coupon provided with the billing statement.

• **ePAY Electronic Payment:**

Go to <https://www6.tceq.state.tx.us/epay/>

You must enter your account number provided at the top portion of your billing statement. Payment methods include Mastercard, Visa, and electronic check payment (ACH). A transaction over \$500 can only be made by ACH.

INSTRUCTIONS FOR FILLING OUT THE NOT FORM

A. OPERATOR (current permittee.)

1. TCEQ Issued Customer Number (CN)

2. Legal Name of Operator

The operator must be the same entity as previously submitted on the original Notice of Intent for the permit number provided.

3. Operator Mailing Address

Provide a complete mailing address for receiving mail from the TCEQ. Update the address if different than previously submitted in the Notice of Intent or Notice of Change.

4. Phone Number, Fax Number, and E-mail Address

Provide updated contact information.

B. REGULATED ENTITY (RE) INFORMATION ON PROJECT OR SITE

1. Regulated Entity Reference Number (RN)

2. Site/Project Name/Regulated Entity

Provide the name of the site as previously submitted in the Notice of Intent for the permit number provided.

3. Site/Project (RE) Physical Address

Provide the physical address or location access description as previously submitted for the permit number provided.

C. REASON FOR TERMINATION

Indicate the reason for terminating the permit by checking one of the options. If the reason is not listed then provide an attachment that explains the reason for termination.

Please read your general permit carefully to determine when to terminate your permit. Permits will not be reactivated after submitting a termination form. The termination is effective on the date postmarked for delivery to TCEQ.

D. CERTIFICATIONS

The certification must bear an original signature of a person meeting the signatory requirements specified under 30 Texas Administrative Code (TAC) §305.44.

IF YOU ARE A CORPORATION:

The regulation that controls who may sign an NOI or similar form is 30 Texas Administrative Code §305.44(a)(1) (see below). According to this code provision, any corporate representative may sign an NOI or similar form so long as the authority to sign such a document has been delegated to that person in accordance with corporate procedures. By signing the NOI or similar form, you are certifying that such authority has been delegated to you. The TCEQ may request documentation evidencing such authority.

IF YOU ARE A MUNICIPALITY OR OTHER GOVERNMENT ENTITY:

The regulation that controls who may sign an NOI or similar form is 30 Texas Administrative Code §305.44(a)(3) (see below). According to this code provision, only a ranking elected official or principal executive officer may sign an NOI or similar form. Persons such as the City Mayor or County Commissioner will be considered ranking elected officials. In order to identify the principal executive officer of your government entity, it may be beneficial to consult your city charter, county or city ordinances, or the Texas statute(s) under which your government entity was formed. An NOI or similar document that is signed by a government official who is not a ranking elected official or principal executive officer does not conform to

§305.44(a)(3). The signatory requirement may not be delegated to a government representative other than those identified in the regulation. By signing the NOI or similar form, you are certifying that you are either a ranking elected official or principal executive officer as required by the administrative code. Documentation demonstrating your position as a ranking elected official or principal executive officer may be requested by the TCEQ.

If you have any questions or need additional information concerning the signatory requirements discussed above, please contact the Texas Commission on Environmental Quality's Environmental Law Division at 512/239-0600.

30 Texas Administrative Code

§305.44. Signatories to Applications.

(a) All applications shall be signed as follows.

(1) For a corporation, the application shall be signed by a responsible corporate officer. For purposes of this paragraph, a responsible corporate officer means a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures. Corporate procedures governing authority to sign permit or post-closure order applications may provide for assignment or delegation to applicable corporate positions rather than to specific individuals.

(2) For a partnership or sole proprietorship, the application shall be signed by a general partner or the proprietor, respectively.

(3) For a municipality, state, federal, or other public agency, the application shall be signed by either a principal executive officer or a ranking elected official. For purposes of this paragraph, a principal executive officer of a federal agency includes the chief executive officer of the agency, or a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., regional administrator of the EPA).

MARCH 5, 2008
TPDES GENERAL PERMIT
TXR150000



TCEQ Docket No. 2007-1588-WQ
TPDES General Permit No. TXR150000

**TEXAS COMMISSION ON ENVIRONMENTAL
QUALITY**
P.O. BOX 13087
Austin, TX 78711-3087

This is a renewal of TPDES
General Permit No. TXR150000,
issued March 5, 2003.

GENERAL PERMIT TO DISCHARGE WASTES

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

Construction sites that discharge storm water associated with construction 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 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 general permit does not grant to the permittee the right to use private or public property for conveyance of storm water and certain non-storm water discharges along the discharge route. This includes property belonging to but not limited 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 and the authorization contained herein shall expire at midnight on March 5, 2013.

EFFECTIVE DATE: March 5, 2008

ISSUED DATE: **FEB 15 2008**

Buddy Corcix

For the Commission

TPDES GENERAL PERMIT NUMBER TXR150000 RELATING TO STORM WATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITIES

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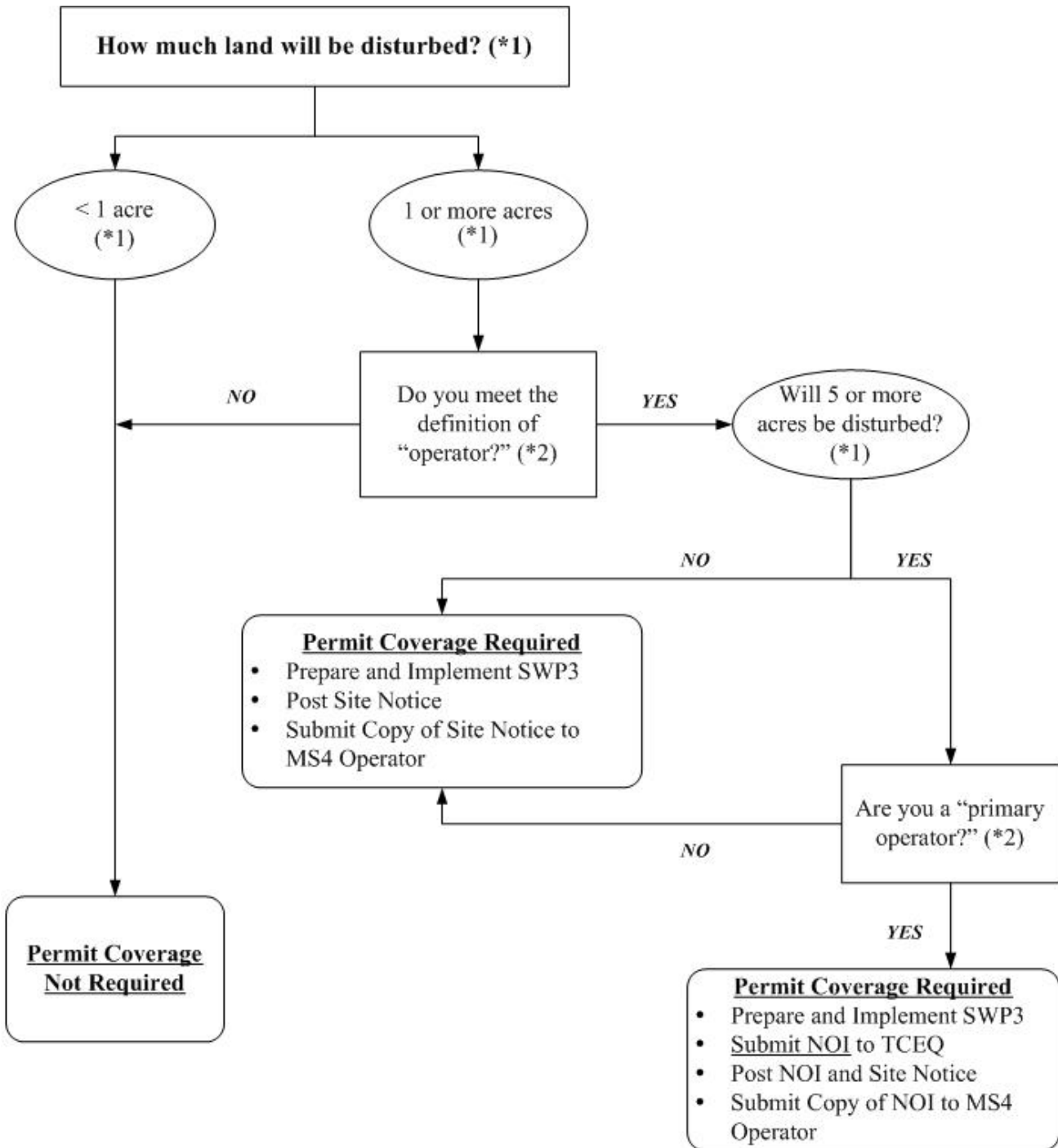
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Part I. Flow Chart and Definitions

Section A. Flow Chart to Determine Whether Coverage is Required



(*1) To determine the size of the construction project, use the size of the entire area to be disturbed, and include the size of the larger common plan of development or sale, if the project is part of a larger project (refer to Part I.B., "Definitions," for an explanation of "larger common plan of development or sale").

(*2) Refer to the definitions for "operator," "primary operator," and "secondary operator" in Part I., Section B. of this permit.

Section B. Definitions

Arid Areas - Areas with an average annual rainfall of 0 to 10 inches.

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

Commencement of Construction - The initial disturbance of soils associated with clearing, grading, or excavation activities, as well as other construction-related activities (e.g., stockpiling of fill material, demolition)

Common Plan of Development - A construction activity that is completed in separate stages, separate phases, or in combination with other construction activities. A common plan of development (also known as a “common plan of development or sale”) is identified by the documentation for the construction project that identifies the scope of the project, and may include plats, blueprints, marketing plans, contracts, building permits, a public notice or hearing, zoning requests, or other similar documentation and activities. A common plan of development does not necessarily include all construction projects within the jurisdiction of a public entity (e.g., a city or university). Construction of roads or buildings in different parts of the jurisdiction would be considered separate “common plans,” with only the interconnected parts of a project being considered part of a “common plan” (e.g., a building and its associated parking lot and driveways, airport runway and associated taxiways, a building complex, etc.). Where discrete construction projects occur within a larger common plan of development or sale but are located ¼ mile or more apart, and the area between the projects is not being disturbed, each individual project can be treated as a separate plan of development or sale, provided that any interconnecting road, pipeline or utility project that is part of the same “common plan” is not included in the area to be disturbed.

Discharge – For the purposes of this permit, the drainage, release, or disposal of pollutants in storm water and certain non-storm water from areas where soil disturbing activities (e.g., clearing, grading, excavation, stockpiling of fill material, and demolition), construction materials or equipment storage or maintenance (e.g., fill piles, borrow area, concrete truck washout, fueling), or other industrial storm water directly related to the construction process (e.g., concrete or asphalt batch plants) are located.

Edwards Aquifer - As defined under Texas Administrative Code § 213.3 of this title (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 Texas Commission on Environmental Quality and the

appropriate regional office. The Edwards Aquifer Map Viewer, located at http://www.tceq.state.tx.us/compliance/field_ops/eapp/mapdisclaimer.html, can be used to determine where the recharge zone is located.

Edwards Aquifer Contributing Zone - The area or watershed where runoff from precipitation flows downgradient to the recharge zone of the Edwards Aquifer. The contributing zone is located upstream (upgradient) and generally north and northwest of the recharge zone for the following counties: all areas within Kinney County, except the area within the watershed draining to Segment 2304 of the Rio Grande Basin; all areas within Uvalde, Medina, Bexar, and Comal Counties; all areas within Hays and Travis Counties, except the area within the watersheds draining to the Colorado River above a point 1.3 miles upstream from Tom Miller Dam, Lake Austin at the confluence of Barrow Brook Cove, Segment 1403 of the Colorado River Basin; and all areas within Williamson County, except the area within the watersheds draining to the Lampasas River above the dam at Stillhouse Hollow reservoir, Segment 1216 of the Brazos River Basin. The contributing zone is illustrated on the Edwards Aquifer map viewer at http://www.tceq.state.tx.us/compliance/field_ops/eapp/mapdisclaimer.html.

Facility or Activity – For the purpose of this permit, a construction site or construction support activity that is regulated under this general permit, including all contiguous land and fixtures (e.g., ponds and materials stockpiles), structures, or appurtenances used at a construction site or industrial site described by this general permit.

Final Stabilization - A construction site status where any of the following conditions are met:

- (a) All soil disturbing activities at the site have been completed and a uniform (i.e., evenly distributed, without large bare areas) perennial vegetative cover with a density of at least 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.
- (b) For individual lots in a residential construction site by either:
 - (1) the homebuilder completing final stabilization as specified in condition (a) above; or
 - (2) the homebuilder establishing temporary stabilization for an individual lot prior to the time of transfer of the ownership of the home to the buyer and after informing the homeowner of the need for, and benefits of, final stabilization. If temporary stabilization is not feasible, then the homebuilder may fulfill this requirement by retaining perimeter controls or other best management practices, and informing the homeowner of the need for removal of temporary controls and the establishment of final stabilization.
- (c) For construction activities on land used for agricultural purposes (e.g. pipelines across crop or range land), final stabilization may be accomplished by returning the disturbed land to its preconstruction agricultural use. Areas disturbed that were not previously used for agricultural activities, such as buffer strips immediately adjacent to surface water and areas that are not being returned to their preconstruction agricultural use must meet the final stabilization conditions of condition (a) above.

- (d) In arid, semi-arid, and drought-stricken areas only, all soil disturbing activities at the site have been completed and both of the following criteria have been met:
- (1) Temporary erosion control measures (e.g., degradable rolled erosion control product) 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
 - (2) The temporary erosion control measures are selected, designed, and installed to achieve 70 percent vegetative coverage within three years.

Hyperchlorination of Waterlines – 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.

Indian Country Land – (from 40 CFR 122.2) (1) all land within the limits of any Indian reservation under the jurisdiction of the United States government, notwithstanding the issuance of any patent, and, including rights-of-way running through the reservation; (2) all dependent Indian communities with the borders of the United States whether within the originally or subsequently acquired territory thereof, and whether within or without the limits of a state; and (3) all Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same.

Indian Tribe - (from 40 CFR 122.2) any Indian Tribe, band, group, or community recognized by the Secretary of the Interior and exercising governmental authority over a Federal Indian Reservation.

Large Construction Activity - Construction activities including clearing, grading, and excavating that result 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. Large construction activity 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.)

Municipal Separate Storm Sewer System (MS4) - A separate storm sewer system owned or operated by the United States, a state, city, town, county, district, association, or other public body (created by or pursuant to state law) having jurisdiction over the disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under state law such as a sewer district, flood control or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, that discharges to surface water in the state.

Notice of Change (NOC) – Written notification to the executive director from a discharger authorized under this permit, providing changes to information that was previously provided to the agency in a notice of intent 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 - The person or persons associated with a large or small construction activity that is either a primary or secondary operator as defined below:

Primary Operator – the person or persons associated with a large or small construction activity that meets either of the following two criteria:

- (a) the person or persons have operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications; or
- (b) the person or persons have day-to-day operational control of those activities at a construction site that are necessary to ensure compliance with a storm water pollution prevention plan (SWP3) for the site or other permit conditions (e.g., they are authorized to direct workers at a site to carry out activities required by the SWP3 or comply with other permit conditions).

Secondary Operator – The person whose operational control is limited to the employment of other operators or to the ability to approve or disapprove changes to plans and specifications. A secondary operator is also defined as a primary operator and must comply with the permit requirements for primary operators if there are no other operators at the construction site.

Outfall - For the purpose of this permit, a point source at the point where storm water runoff associated with construction activity discharges to surface water in the state and does not include open conveyances connecting two municipal separate storm sewers, or pipes, tunnels, or other conveyances that connect segments of the same stream or other water of the U.S. and are used to convey waters of the U.S.

Permittee - An operator authorized under this general permit. The authorization may be gained through submission of a notice of intent, by waiver, or by meeting the requirements for automatic coverage to discharge storm water runoff and certain non-storm water discharges.

Point Source – (from 40 CFR §122.2) 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 storm water runoff.

Pollutant - 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 surface water in the state. The term "pollutant" does not include tail water or runoff water from irrigation or rainwater runoff from cultivated or uncultivated rangeland, pastureland, and farmland. For the purpose of this permit, the term "pollutant" includes sediment.

Pollution - (from Texas Water Code §26.001(14)) The alteration of the physical, thermal, chemical, or biological quality of, or the contamination of, any surface water in the state that renders the water harmful, detrimental, or injurious to humans, animal life, vegetation, or property or to public health, safety, or welfare, or impairs the usefulness or the public enjoyment of the water for any lawful or reasonable purpose.

Rainfall Erosivity Factor (R factor) - the total annual erosive potential that is due to climatic effects, and is part of the Revised Universal Soil Loss Equation (RUSLE).

Semiarid Areas - areas with an average annual rainfall of 10 to 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 storm water; that is not a combined sewer, and that is not part of a publicly owned treatment works (POTW).

Small Construction Activity - Construction activities including clearing, grading, and excavating that result 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. Small construction activity 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.)

Storm Water (or Storm Water Runoff) - Rainfall runoff, snow melt runoff, and surface runoff and drainage.

Storm Water Associated with Construction Activity - Storm water runoff from a construction activity where soil disturbing activities (including clearing, grading, excavating) result in the disturbance of one (1) or more acres of total land area, or are part of a larger common plan of development or sale that will result in disturbance of one (1) or more acres of total land area.

Structural Control (or Practice) - A pollution prevention practice that requires the construction of a device, or the use of a device, to capture or prevent pollution in storm water runoff. Structural controls and practices may include but are not limited to: silt fences, earthen dikes, drainage swales, sediment traps, check dams, subsurface drains, storm drain inlet protection, rock outlet protection, reinforced soil retaining systems, gabions, and temporary or permanent sediment basins.

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 (MHW) 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 which are authorized by state or federal law, regulation, or permit, and which are created for the purpose of waste treatment are not considered to be water in the state.

Temporary Stabilization - A condition where exposed soils or disturbed areas are provided a protective cover or other structural control to prevent the migration of pollutants. Temporary stabilization may include temporary seeding, geotextiles, mulches, and other techniques to reduce or eliminate erosion until either permanent stabilization can be achieved or until further construction activities take place.

Waters of the United States - (from 40 CFR, Part 122, Section 2) Waters of the United States or waters of the U.S. means:

- (a) all waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which 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) which 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) which 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 United States 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 CWA (other than cooling ponds as defined in 40 CFR §423.11(m) which also meet the criteria of this definition) are not waters of the United States. This exclusion applies only to manmade bodies of water which neither were originally created in waters of the United States (such as disposal area in wetlands) nor resulted from the impoundment of waters of the United States. Waters of the United States 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 Clean Water Act, the final authority regarding Clean Water Act jurisdiction remains with EPA.

Part II. Permit Applicability and Coverage

Section A. Discharges Eligible for Authorization

1. Storm Water Associated with Construction Activity

Discharges of storm water runoff from small and large construction activities may be authorized under this general permit.

2. Discharges of Storm Water Associated with Construction Support Activities

Examples of construction support activities include, but are not limited to, concrete batch plants, rock crushers, asphalt batch plants, equipment staging areas, material storage yards, material borrow areas, and excavated material disposal areas. Discharges of storm water runoff from construction support activities may be authorized under this general permit, provided that the following conditions are met:

- (a) the activities are located within one (1)-mile from the boundary of the permitted construction site and directly support the construction activity;
- (b) a storm water pollution prevention plan is developed according to the provisions of this general permit and includes appropriate controls and measures to reduce erosion and discharge of pollutants in storm water runoff from the construction support activities; and
- (c) the construction support activities either do not operate beyond the completion date of the construction activity or are authorized under separate TPDES authorization. Separate TPDES authorization may include the TPDES Multi Sector General Permit, TXR050000 (related to storm water discharges associated with industrial activity), separate authorization under this general permit if applicable, coverage under an alternative general permit if available, or authorization under an individual water quality permit.

3. Non-Storm Water Discharges

The following non-storm water discharges from sites authorized under this general permit are also eligible for authorization under this general permit:

- (a) discharges from fire fighting activities (fire fighting activities do not include washing of trucks, run-off water from training activities, test water from fire suppression systems, and similar activities);
- (b) 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), which include flushings from systems that utilize potable water, surface water, or groundwater that does not contain additional pollutants (uncontaminated fire hydrant flushings do not include systems utilizing reclaimed wastewater as a source water);
- (c) water from the routine external washing of vehicles, the external portion of buildings or structures, and pavement, where detergents and soaps are not used and where spills or leaks of toxic or hazardous materials have not occurred (unless spilled materials have been removed; and if local state, or federal regulations are applicable, the materials are removed according to those regulations), and where the purpose is to remove mud, dirt, or dust;
- (d) uncontaminated water used to control dust;

- (e) potable water sources including waterline flushings (excluding discharges of hyperchlorinated water, unless the water is first dechlorinated and discharges are not expected to adversely affect aquatic life);
 - (f) uncontaminated air conditioning condensate;
 - (g) uncontaminated ground water or spring water, including foundation or footing drains where flows are not contaminated with industrial materials such as solvents; and
 - (h) lawn watering and similar irrigation drainage.
4. Other Permitted Discharges

Any discharge authorized under a separate NPDES, TPDES, or TCEQ permit may be combined with discharges authorized by this general permit, provided those discharges comply with the associated permit.

Section B. Concrete Truck Wash Out

The washout of concrete trucks associated with off-site production facilities may be conducted at regulated construction sites in accordance with the requirements of Part V of this general permit.

Section C. Limitations on Permit Coverage

1. Post Construction Discharges.

Discharges that occur after construction activities have been completed, and after the construction site and any supporting activity site have undergone final stabilization, are not eligible for coverage under this general permit. Discharges originating from the sites are not authorized under this general permit following the submission of the notice of termination (NOT) for the construction activity.

2. Prohibition of Non-Storm Water Discharges

Except as otherwise provided in Part II.A. of this general permit, only discharges that are composed entirely of storm water associated with construction activity may be authorized under this general permit.

3. Compliance With Water Quality Standards

Discharges to surface water in the state that would cause or contribute to a violation of water quality standards or that would fail to protect and maintain existing designated uses are not eligible for coverage under this general permit. The executive director may require an application for an individual permit or alternative general permit (see Parts II.H.2. and 3.) to authorize discharges to surface water in the state from any activity 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. The executive director may also require an application for an individual permit considering factors described in Part II.H.2. of this general permit.

4. Discharges to Water Quality-Impaired Receiving Waters.

New sources or new discharges of the constituents of concern to impaired waters are not authorized by this permit unless otherwise allowable under 30 TAC Chapter 305 and applicable state law. Impaired waters are those that do not meet applicable water quality standards and are listed on the EPA approved Clean Water Act Section 303(d) list. Constituents of concern are those for which the water body is listed as impaired.

Discharges of the constituents of concern to impaired water bodies for which there is a total maximum daily load (TMDL) are not eligible for this permit unless they are consistent with the 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 storm water pollution prevention plan in order to be eligible for coverage under this general permit.

5. Discharges to the Edwards Aquifer Recharge Zone

Discharges cannot be authorized by this general permit where prohibited by 30 Texas Administrative Code (TAC) Chapter 213 (relating to Edwards Aquifer). **In addition, commencement of construction (i.e., the initial disturbance of soils associated with clearing, grading, or excavating activities, as well as other construction-related activities such as stockpiling of fill material and demolition) at a site regulated under 30 TAC Chapter 213, may not begin until the appropriate Edwards Aquifer Protection Plan has been approved by the TCEQ's Edwards Aquifer Protection Program.**

- (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 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 storm water controls, for example, may be required as a provision of the rule. All applicable requirements of the Edwards Aquifer Rule for reductions of suspended solids in storm water runoff are in addition to the requirements in this general permit for this pollutant.

For discharges from large construction activities located on the Edwards Aquifer recharge zone or the Edwards Aquifer contributing zone, applicants must submit a copy of the NOI to the appropriate TCEQ regional office. For discharges from small construction activities located on the Edwards Aquifer recharge zone or the Edwards Aquifer contributing zone, and for discharges from large construction activities by operators not required to submit an NOI under this general permit, applicants must submit a copy of the construction site notice to the appropriate TCEQ regional office where required by the Edwards Aquifer Rules at 30 TAC Chapter 213:

Counties:

Contact:

Comal, Bexar, Medina, Uvalde,
and Kinney

TCEQ
Water Program Manager
San Antonio Regional Office
14250 Judson Rd.
San Antonio, Texas
(210) 490-3096

Williamson, Travis, and Hays

TCEQ
Water Program Manager
Austin Regional Office
2800 South IH 35, Suite 100
Austin, Texas 78704-5712
(512) 339-2929

6. Discharges to Specific Watersheds and Water Quality Areas

Discharges otherwise eligible for coverage cannot be authorized by this general permit where prohibited by 30 TAC Chapter 311 (relating to Watershed Protection) for water quality areas and watersheds.

7. Protection of Streams and Watersheds by Other Governmental Entities

This general permit does not limit the authority or ability of federal, other state, or local governmental entities from placing additional or more stringent requirements on construction activities or discharges from construction activities. For example, this permit does not limit the authority of a home-rule municipality provided by Texas Local Government Code §401.002.

8. Indian Country Lands

Storm water runoff from construction activities occurring on Indian Country lands are not under the authority of the TCEQ and are not eligible for coverage under this general permit. If discharges of storm water require authorization under federal National Pollutant Discharge Elimination System (NPDES) regulations, authority for these discharges must be obtained from the U.S. Environmental Protection Agency (EPA).

9. Oil and Gas Production

Storm water runoff from construction activities associated with the exploration, development, or production of oil or gas or geothermal resources, including transportation of crude oil or natural gas by pipeline, are not under the authority of the TCEQ and are not eligible for coverage under this general permit. If discharges of storm water require authorization under federal NPDES regulations, authority for these discharges must be obtained from the EPA.

10. Storm Water Discharges from Agricultural Activities

Storm water discharges from agricultural activities that are not point source discharges of storm water are not subject to TPDES permit requirements. These activities may include clearing and cultivating ground for crops, construction of fences to contain livestock, construction of stock ponds, and other similar agricultural activities. Discharges of storm water runoff associated with the construction of facilities that are subject to TPDES regulations, such as the construction of confined animal feeding operations, would be point sources regulated under this general permit.

11. Other

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 D. Deadlines for Obtaining Authorization to Discharge

1. Large Construction Activities

- (a) New Construction - Discharges from sites where the commencement of construction occurs on or after the effective date of this general permit must be authorized, either under this general permit or a separate TPDES permit, prior to the commencement of those construction activities.
- (b) Ongoing Construction - Operators of large construction activities continuing to operate after the effective date of this permit, and authorized under TPDES general permit TXR150000 (issued March 5, 2003), must submit an NOI to renew authorization under this general permit within 90 days of the effective date of this general permit. During this interim period, as a requirement of this TPDES permit, the operator must continue to meet the conditions and requirements of the previous TPDES permit.

2. Small Construction Activities

- (a) New Construction - Discharges from sites where the commencement of construction occurs on or after the effective date of this general permit must be authorized, either under this general permit or a separate TPDES permit, prior to the commencement of those construction activities.
- (b) Ongoing Construction - Discharges from ongoing small construction activities that commenced prior to the effective date of this general permit, and that would not meet the conditions to qualify for termination of this permit as described in Part II.E. of this general permit, must meet the requirements to be authorized, either under this general permit or a separate TPDES permit, within 90 days of the effective date of this general permit. During this interim period, as a requirement of this TPDES permit, the operator must continue to meet the conditions and requirements of the previous TPDES permit.

Section E. Obtaining Authorization to Discharge

1. Automatic Authorization for Small Construction Activities With Low Potential for Erosion:

If all of the following conditions are met, then a small construction activity is determined to occur during periods of low potential for erosion, and a site operator may be automatically authorized under this general permit without being required to develop a storm water pollution prevention plan or submit a notice of intent (NOI):

- (a) the construction activity occurs in a county listed in Appendix A;
- (b) the construction activity is initiated and completed, including either final or temporary stabilization of all disturbed areas, within the time frame identified in Appendix A for the location of the construction site;
- (c) all temporary stabilization is adequately maintained to effectively reduce or prohibit erosion, permanent stabilization activities have been initiated, and a condition of final stabilization is completed no later than 30 days following the end date of the time frame identified in Appendix A for the location of the construction site;
- (d) the permittee signs a completed construction site notice (Attachment 1 of this general permit), including the certification statement;
- (e) a signed copy of the construction site notice is posted at the construction site in a location where it is readily available for viewing by the general public, local, state, and federal authorities prior to commencing construction activities, and maintained in that location until completion of the construction activity;
- (f) a copy of the signed and certified construction site notice is provided to the operator of any municipal separate storm sewer system (MS4) receiving the discharge at least two days prior to commencement of construction activities;
- (g) any supporting concrete batch plant or asphalt batch plant is separately authorized for discharges of storm water runoff or other non-storm water discharges under an individual TPDES permit, another TPDES general permit, or under an individual TCEQ permit where storm water and non-storm water is disposed of by evaporation or irrigation (discharges are adjacent to water in the state); and
- (h) any non-storm water discharges are either authorized under a separate permit or authorization, or are not considered to be a wastewater.

Part II.G. of this general permit describes how an operator may apply for and obtain a waiver from permitting, for certain small construction activities that occur during a period with a low potential for erosion, where automatic authorization under this section is not available.

2. Automatic Authorization For All Other Small Construction Activities:

Operators of small construction activities not described in Part II.E.1. above may be automatically authorized under this general permit, and operators of these sites shall not be required to submit an NOI, provided that they meet all of the following conditions:

- (a) develop a SWP3 according to the provisions of this general permit, that covers either the entire site or all portions of the site for which the applicant is the operator, and implement that plan prior to commencing construction activities;
- (b) sign and certify a completed construction site notice (Attachment 2 of this general permit), post the notice at the construction site in a location where it is safely and readily available for viewing by the general public, local, state, and federal authorities, prior to commencing construction, and maintain the notice in that location until completion of the construction activity (for linear construction activities, e.g. pipeline or highway, the site notice must be placed in a publicly accessible location near where construction is actively underway; notice for these linear sites may be relocated, as necessary, along the length of the project, and the notice must be safely and readily available for viewing by the general public; local, state, and federal authorities); and
- (c) provide a copy of the signed and certified construction site notice to the operator of any municipal separate storm sewer system receiving the discharge at least two days prior to commencement of construction activities.

Operators of small construction activities as defined in Part I of this general permit shall not submit an NOI for coverage unless otherwise required by the executive director.

As described in Part I (Definitions) of this general permit, large construction activities include those that will disturb less than five (5) acres of land, but that are part of a larger common plan of development or sale that will ultimately disturb five (5) or more acres of land, and must meet the requirements of Part II.E.3. below.

3. Authorization for Large Construction Activities:

Operators of large construction activities that qualify for coverage under this general permit must meet all of the following conditions:

- (a) develop a SWP3 according to the provisions of this general permit that covers either the entire site or all portions of the site for which the applicant is the operator, and implement that plan prior to commencing construction activities;
- (b) primary operators must submit a Notice of Intent (NOI), using a form provided by the executive director, at least seven (7) days prior to commencing construction activities, or if utilizing electronic submittal, prior to commencing construction activities. If an additional primary operator is added after the initial NOI is submitted, the new primary operator must submit an NOI at least seven (7) days before assuming operational control, or if utilizing electronic NOI submittal, prior to assuming operational control. If the primary operator changes after the initial NOI is submitted, the new primary operator must submit a paper NOI or an electronic NOI at least ten (10) days before assuming operational control;
- (c) all primary operators must also post a copy of the signed NOI at the construction site in a location where it is readily available for viewing by the general public, local,

state, and federal authorities prior to commencing construction activities, and must maintain the NOI in that location until completion of the construction activity;

- (d) all operators of large construction activities must post a site notice in accordance with Part III.D.2. of this permit. The site notice must be located where it is safely and readily available for viewing by the general public, local, state, and federal authorities prior to commencing construction, and must be maintained in that location until completion of the construction activity (for linear construction activities, e.g. pipeline or highway, the site notice must be placed in a publicly accessible location near where construction is actively underway; notice for these linear sites may be relocated, as necessary, along the length of the project, and the notice must be safely and readily available for viewing by the general public; local, state, and federal authorities); and
 - (e) all primary operators must provide a copy of the signed NOI to the operator of any municipal separate storm sewer system (MS4) receiving the discharge and to any secondary operator, at least seven (7) days prior to commencing construction activities, and must list in the SWP3 the names and addresses of all MS4 operators receiving a copy.
 - (f) All persons meeting the definition of “secondary operator” in Part I of this permit are hereby notified that they are regulated under this general permit, but are not required to submit an NOI, provided that another operator(s) at the site has submitted an NOI, or is required to submit an NOI and the secondary operator has provided notification to the operator(s) of the need to obtain coverage (with records of notification available upon request). Any secondary operator notified under this provision may alternatively submit an NOI under this general permit, may seek coverage under an alternative TPDES individual permit, or may seek coverage under an alternative TPDES general permit if available.
4. Waivers for Small Construction Activities:

Part II.G. describes how operators of certain small construction activities may obtain a waiver from coverage.

5. Effective Date of Coverage

- (a) Operators of small construction activities as described in either Part II.E.1. or II.E.2. above are authorized immediately following compliance with the applicable conditions of Part II.E.1. or II.E.2. Secondary operators of large construction activities as described in Part II.E.3. above are authorized immediately following compliance with the applicable conditions in Part II.E.3. For activities located in areas regulated by 30 TAC Chapter 213, related to the Edwards Aquifer, this authorization to discharge is separate from the requirements of the operator’s responsibilities under that rule. Construction may not commence for sites regulated under 30 TAC Chapter 213 until all applicable requirements of that rule are met.
- (b) Primary operators of large construction activities as described in Part II.E.3. above are provisionally authorized seven (7) days from the date that a completed NOI is

postmarked for delivery to the TCEQ, unless otherwise notified by the executive director. If electronic submission of the NOI is provided, and unless otherwise notified by the executive director, primary operators are authorized immediately following confirmation of receipt of the NOI by the TCEQ. Authorization is non-provisional when the executive director finds the NOI is administratively complete and an authorization number is issued for the activity. For activities located in areas regulated by 30 TAC Chapter 213, related to the Edwards Aquifer, this authorization to discharge is separate from the requirements of the operator's responsibilities under that rule. Construction may not commence for sites regulated under 30 TAC Chapter 213 until all applicable requirements of that rule are met.

- (c) Operators are not prohibited from submitting late NOIs or posting late notices to obtain authorization under this general permit. The TCEQ reserves the right to take appropriate enforcement actions for any unpermitted activities that may have occurred between the time construction commenced and authorization was obtained.

6. Notice of Change (NOC)

If relevant information provided in the NOI changes, an NOC must be submitted at least 14 days before the change occurs, if possible. Where 14-day advance notice is not possible, the operator must submit an NOC within 14 days of discovery of the change. If the operator becomes aware that it failed to submit any relevant facts or submitted incorrect information in an NOI, the correct information must be provided to the executive director in an NOC within 14 days after discovery. The NOC shall 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, and a list must be included in the SWP3 that includes the names and addresses of all MS4 operators receiving a copy.

Information that may be included on an NOC includes, but is not limited to, the following: the description of the construction project, an increase in the number of acres disturbed (for increases of one or more acres), or the operator name. A transfer of operational control from one operator to another, including a transfer of the ownership of a company, may not be included in an NOC. 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 number (or charter number) that is on record with the Texas Secretary of State must be changed.

An NOC is not required for notifying TCEQ of a decrease in the number of acres disturbed. This information must be included in the storm water pollution prevention plan (SWP3) and retained on site.

7. Signatory Requirement for NOI Forms, Notice of Termination (NOT) Forms, NOC Letters, and Construction Site Notices

NOI forms, NOT forms, NOC letters, and Construction Site Notices that require a signature must be signed according to 30 TAC § 305.44 (relating to Signatories for Applications).

8. Contents of the NOI

The NOI form shall require, at a minimum, the following information:

- (a) the TPDES CGP authorization number for existing authorizations under this general permit, where the operator submits an NOI to renew coverage within 90 days of the effective date of this general permit;
- (b) the name, address, and telephone number of the operator filing the NOI for permit coverage;
- (c) the name (or other identifier), address, county, and latitude/longitude of the construction project or site;
- (d) the number of acres that will be disturbed by the applicant;
- (e) confirmation that the project or site will not be located on Indian Country lands;
- (f) confirmation that a SWP3 has been developed, that it will be implemented prior to construction, and that it is compliant with any applicable local sediment and erosion control plans;
- (g) name of the receiving water(s);
- (h) the classified segment number for each classified segment that receives discharges from the regulated construction activity (if the discharge is not directly to a classified segment, then the classified segment number of the first classified segment that those discharges reach); and
- (i) the name of all surface waters receiving discharges from the regulated construction activity that are on the latest EPA-approved CWA § 303(d) list of impaired waters.

Section F. Terminating Coverage

1. Notice of Termination (NOT) Required

Each operator that has submitted an NOI for authorization under this general permit must apply to terminate that authorization following the conditions described in this section of the general permit. Authorization must be terminated by submitting a Notice of Termination (NOT) on a form supplied by the executive director. Authorization to discharge under this general permit terminates at midnight on the day the NOT is postmarked for delivery to the TCEQ. If electronic submission of the NOT is provided, authorization to discharge under this permit terminates immediately following confirmation of receipt of the NOT by the TCEQ. Compliance with the conditions and requirements of this permit is required until an NOT is submitted.

The NOT must be submitted to TCEQ, and a copy of the NOT provided to the operator of any MS4 receiving the discharge (with a list in the SWP3 of the names and addresses of all MS4 operators receiving a copy), within 30 days after any of the following conditions are met:

- (a) final stabilization has been achieved on all portions of the site that are the responsibility of the permittee;
- (b) a transfer of operational control has occurred (See Section II.F.4. below); or
- (c) the operator has obtained alternative authorization under an individual TPDES permit or alternative TPDES general permit.

2. Minimum Contents of the NOT

The NOT form shall require, at a minimum, the following information:

- (a) if authorization was granted following submission of an NOI, the permittee's site-specific TPDES authorization number for the construction site;
- (b) an indication of whether the construction activity is completed or if the permittee is simply no longer an operator at the site;
- (c) the name, address, and telephone number of the permittee submitting the NOT;
- (d) the name (or other identifier), address, county, and latitude/longitude of the construction project or site; and
- (e) a signed certification that either all storm water discharges requiring authorization under this general permit will no longer occur, or that the applicant to terminate coverage is no longer the operator of the facility or construction site, and that all temporary structural erosion controls have either been removed, will be removed on a schedule defined in the SWP3, or have been transferred to a new operator if the new operator has applied for permit coverage. Erosion controls that are designed to remain in place for an indefinite period, such as mulches and fiber mats, are not required to be removed or scheduled for removal.

3. Termination of Coverage for Small Construction Sites and for Secondary Operators at Large Construction Sites

Each operator that has obtained automatic authorization and has not been required to submit an NOI must remove the site notice upon meeting any of the conditions listed below, complete the applicable portion of the site notice related to removal of the site notice, and submit a copy of the completed site notice to the operator of any MS4 receiving the discharge (or provide alternative notification as allowed by the MS4 operator, with documentation of such notification included in the SWP3), within 30 days of meeting any of the following conditions:

- (a) final stabilization has been achieved on all portions of the site that are the responsibility of the permittee;
- (b) a transfer of operational control has occurred (See Section II.F.4. below); or

- (c) the operator has obtained alternative authorization under an individual or general TPDES permit.

Authorization to discharge under this general permit terminates immediately upon removal of the applicable site notice. Compliance with the conditions and requirements of this permit is required until the site notice is removed.

4. Transfer of Operational Control

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 primary operator of a large construction activity changes or operational control is transferred, the original operator must submit a Notice of Termination (NOT) within ten (10) days prior to the date that responsibility for operations terminates, and the new operator must submit an NOI at least ten (10) days prior to the transfer of operational control, in accordance with condition (a) or (b) below. A copy of the NOT must be provided to the operator of any MS4 receiving the discharge in accordance with Section II.F.1. above.

Operators of regulated construction activities who are not required to submit an NOI must remove the original site notice, and the new operator must post the required site notice prior to the transfer of operational control, in accordance with condition (a) or (b) below. A copy of the completed site notice must be provided to the operator of any MS4 receiving the discharge, in accordance with Section II.F.3. above.

A transfer of operational control occurs when either of the following criteria is met:

- (a) Another operator has assumed control over all areas of the site that have not been finally stabilized; and all silt fences and other temporary erosion controls have either been removed, scheduled for removal as defined in the SWP3, or transferred to a new operator, provided that the permitted operator has attempted to notify the new operator in writing of the requirement to obtain permit coverage. Record of this notification (or attempt at notification) shall be retained by the operator in accordance with Part VI of this permit. Erosion controls that are designed to remain in place for an indefinite period, such as mulches and fiber mats, are not required to be removed or scheduled for removal.
- (b) A homebuilder has purchased one or more lots from an operator who obtained coverage under this general permit for a common plan of development or sale. The homebuilder is considered a new operator and shall comply with the requirements listed above, including the development of a SWP3 if necessary. Under these circumstances, the homebuilder is only responsible for compliance with the general permit requirements as they apply to lot(s) it has operational control over, and the original operator remains responsible for common controls or discharges, and must amend its SWP3 to remove the lot(s) transferred to the homebuilder.

Section G. Waivers from Coverage

The executive director may waive the otherwise applicable requirements of this general permit for storm water discharges from small construction activities under the terms and conditions described in this section.

1. Waiver Applicability and Coverage

Operators of small construction activities may apply for and receive a waiver from the requirements to obtain authorization under this general permit, where all of the following conditions are met. This waiver from coverage does not apply to non-storm water discharges. The operator must insure that any non-storm water discharges are either authorized under a separate permit or authorization, or are not considered to be a wastewater.

- (a) the calculated rainfall erosivity (R) factor for the entire period of the construction project is less than five (5);
- (b) the operator submits to the TCEQ a signed waiver certification form, supplied by the executive director, certifying that the construction activity will commence and be completed within a period when the value of the calculated rainfall erosivity R factor is less than five (5); and
- (c) the waiver certification form is postmarked for delivery to the TCEQ at least two (2) days before construction activity begins.

2. Steps to Obtaining a Waiver

The construction site operator may calculate the R factor to request a waiver using the following steps:

- (a) Estimate the construction start date and the construction end date. The construction end date is the date that final stabilization will be achieved.
- (b) Find the appropriate Erosivity Index (EI) zone in Appendix B of this permit.
- (c) Find the EI percentage for the project period by adding the results for each period of the project using the table provided in Appendix D of this permit, in EPA Fact Sheet 2.1, or in USDA Handbook 703, by subtracting the start value from the end value to find the percent EI for the site.
- (d) Refer to the Isoerodent Map (Appendix C of this permit) and interpolate the annual isoerodent value for the proposed construction location.
- (e) Multiply the percent value obtained in Step (c) above by the annual isoerodent value obtained in Step (d). This is the R factor for the proposed project. If the value is less than 5, then a waiver may be obtained. If the value is five (5) or more, then a waiver may not be obtained, and the operator must obtain coverage under Part II.E.2. of this permit.

Alternatively, the operator may calculate a site-specific R factor utilizing the following online calculator: <http://ei.tamu.edu/index.html>, or using another available resource.

The waiver certification form is not required to be posted at the small construction site.

3. Effective Date of Waiver

Operators of small construction activities are provisionally waived from the otherwise applicable requirements of this general permit two (2) days from the date that a completed waiver certification form is postmarked for delivery to TCEQ.

4. Activities Extending Beyond the Waiver Period

If a construction activity extends beyond the approved waiver period due to circumstances beyond the control of the operator, the operator must either:

- (a) recalculate the rainfall erosivity (R) factor using the original start date and a new projected ending date, and if the R factor is still under five (5), submit a new waiver certification form at least two (2) days before the end of the original waiver period; or
- (b) obtain authorization under this general permit according to the requirements delineated in either Part II.E.2. or Part II.E.3. at least two (2) days before the end of the approved waiver period.

Section H. Alternative TPDES Permit Coverage

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). Applications for individual permit coverage should be submitted at least three hundred and thirty (330) days prior to commencement of construction activities to ensure timely issuance.

2. Individual Permit Required

The executive director may suspend an authorization or deny an NOI in accordance with the procedures set forth in 30 TAC Chapter 205 (relating to General Permits for Waste Discharges), including the requirement that the executive director provide written notice to the permittee. The executive director may require an operator of a construction site, 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 total maximum daily load (TMDL) limitation or TMDL implementation plan on the receiving stream;

- (b) the activity 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 (relating to General Permits for Waste Discharges) 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.”

Additionally, the executive director may cancel, revoke, or suspend authorization to discharge under this general permit based on a finding of historical and significant noncompliance with the provisions of this general permit, relating to 30 TAC §60.3 (Use of Compliance History). Denial of authorization to discharge under this general permit or suspension of a permittee’s authorization under this general permit shall be done according to commission rules in 30 TAC, Chapter 205 (relating to General Permits for Waste Discharges).

- 3. 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.

Section I. Permit Expiration

- 1. This general permit is issued for a term not to exceed five (5) years. All active discharge authorizations expire on the date provided on page one (1) of this permit. 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.
- 2. If the executive director publishes a notice of the intent to renew or amend this general permit before the expiration date, the permit will remain in effect for existing, authorized discharges until the commission takes final action on the permit. Upon issuance of a renewed or amended permit, permittees may be required to submit an NOI within 90 days following the effective date of the renewed or amended permit, unless that permit provides for an alternative method for obtaining authorization.
- 3. If the commission does not propose to reissue this general permit within 90 days before the expiration date, permittees shall apply for authorization under an individual permit or an alternative general permit. If the application for an individual permit is submitted before the expiration date, authorization under this expiring general permit remains in effect until the issuance or denial of an individual permit. No new NOIs will be accepted nor new authorizations honored under the general permit after the expiration date.

Part III. Storm Water Pollution Prevention Plans (SWP3)

Storm water pollution prevention plans must be prepared to address discharges authorized under Parts II.E.2. and II.E.3. that will reach Waters of the United States, including discharges to MS4s and privately owned

separate storm sewer systems that drain to Waters of the United States, to identify and address potential sources of pollution that are reasonably expected to affect the quality of discharges from the construction site, including off-site material storage areas, overburden and stockpiles of dirt, borrow areas, equipment staging areas, vehicle repair areas, fueling areas, etc., used solely by the permitted project. The SWP3 must describe the implementation of practices that will be used to minimize to the extent practicable the discharge of pollutants in storm water associated with construction activity and non-storm water discharges described in Part II.A.3., in compliance with the terms and conditions of this permit.

Individual operators at a site may develop separate SWP3s that cover only their portion of the project, provided reference is made to the other operators at the site. Where there is more than one SWP3 for a site, permittees must coordinate to ensure that BMPs and controls are consistent and do not negate or impair the effectiveness of each other. Regardless of whether a single comprehensive SWP3 is developed or separate SWP3s are developed for each operator, it is the responsibility of each operator to ensure compliance with the terms and conditions of this general permit in the areas of the construction site where that operator has control over construction plans and specifications or day-to-day operations.

Section A. Shared SWP3 Development

For more effective coordination of BMPs and opportunities for cost sharing, a cooperative effort by the different operators at a site is encouraged. Operators must independently obtain authorization, but may work together to prepare and implement a single, comprehensive SWP3 for the entire construction site.

1. The SWP3 must clearly list the name and, for large construction activities, the general permit authorization numbers, for each operator that participates in the shared SWP3. Until the TCEQ responds to receipt of the NOI with a general permit authorization number, the SWP3 must specify the date that the NOI was submitted to TCEQ by each operator. Each operator participating in the shared plan must also sign the SWP3.
2. The SWP3 must clearly indicate which operator is responsible for satisfying each shared requirement of the SWP3. If the responsibility for satisfying a requirement is not described in the plan, then each permittee is entirely responsible for meeting the requirement within the boundaries of the construction site where they perform construction activities. The SWP3 must clearly describe responsibilities for meeting each requirement in shared or common areas.

Section B. Responsibilities of Operators

1. Secondary Operators and Primary Operators with Control Over Construction Plans and Specifications

All secondary operators and primary operators with control over construction plans and specifications must:

- (a) ensure the project specifications allow or provide that adequate BMPs are developed to meet the requirements of Part III of this general permit;
- (b) ensure that the SWP3 indicates the areas of the project where they have control over project specifications, including the ability to make modifications in specifications;

- (c) ensure all other operators affected by modifications in project specifications are notified in a timely manner so that those operators may modify their best management practices as necessary to remain compliant with the conditions of this general permit; and
 - (d) ensure that the SWP3 for portions of the project where they are operators indicates the name and site-specific TPDES authorization numbers for permittees with the day-to-day operational control over those activities necessary to ensure compliance with the SWP3 and other permit conditions. If the party with day-to-day operational control has not been authorized or has abandoned the site, the person with control over project specifications is considered to be the responsible party until the authority is transferred to another party and the SWP3 is updated.
2. Primary Operators with Day-to-Day Operational Control

Primary Operators with day-to-day operational control of those activities at a project that are necessary to ensure compliance with an SWP3 and other permit conditions must ensure that the SWP3 accomplishes the following requirements:

- (a) meets the requirements of this general permit for those portions of the project where they are operators;
- (b) identifies the parties responsible for implementation of best management practices (BMPs) described in the SWP3;
- (c) indicates areas of the project where they have operational control over day-to-day activities; and
- (d) includes, for areas where they have operational control over day-to-day activities, the name and site-specific TPDES authorization number of the parties with control over project specifications, including the ability to make modifications in specifications.

Section C. Deadlines for SWP3 Preparation, Implementation, and Compliance

The SWP3 must be prepared prior to obtaining authorization under this general permit, and implemented prior to commencing construction activities that result in soil disturbance. The SWP3 must be prepared so that it provides for compliance with the terms and conditions of this general permit.

Section D. Plan Review and Making Plans Available

1. The SWP3 must be retained on-site at the construction site or, if the site is inactive or does not have an on-site location to store the plan, a notice must be posted describing the location of the SWP3. The SWP3 must be made readily available at the time of an on-site inspection to: the executive director; a federal, state, or local agency approving sediment and erosion plans, grading plans, or storm water management plans; local government officials; and the operator of a municipal separate storm sewer receiving discharges from the site.

2. In addition to the requirement to post the NOI, a primary operator of a large construction activity must post the site notice provided in Attachment 4 of this permit near the main entrance of the construction site. An operator of a small construction activity seeking authorization under this general permit and a secondary operator of a large construction activity must post the site notice required in Part II.E.1., 2., or 3. of this permit in order to obtain authorization (see Attachments 1, 2, and 3). If the construction project is a linear construction project (e.g. pipeline or highway), the notices must be placed in a publicly accessible location near where construction is actively underway. Notices for these linear sites may be relocated, as necessary, along the length of the project. The notices must be readily available for viewing by the general public; local, state, and federal authorities; and contain the following information:
 - (a) the site-specific TPDES authorization number for the project if assigned;
 - (b) the operator name, contact name, and contact phone number;
 - (c) a brief description of the project; and
 - (d) the location of the SWP3.
3. This permit does not provide the general public with any right to trespass on a construction site for any reason, including inspection of a site; nor does this permit require that permittees allow members of the general public access to a construction site.

Section E. Revisions and Updates to SWP3s

The permittee must revise or update the SWP3 whenever the following occurs:

1. a change in design, construction, operation, or maintenance that has a significant effect on the discharge of pollutants and that has not been previously addressed in the SWP3;
2. changing site conditions based on updated plans and specifications, new operators, new areas of responsibility, and changes in BMPs; or
3. results of inspections or investigations by site operators, operators of a municipal separate storm sewer system receiving the discharge, authorized TCEQ personnel, or a federal, state or local agency approving sediment and erosion plans indicate the SWP3 is proving ineffective in eliminating or significantly minimizing pollutants in discharges authorized under this general permit.

Section F. Contents of SWP3

The SWP3 must include, at a minimum, the information described in this section.

1. A site or project description, which includes the following information:
 - (a) a description of the nature of the construction activity;
 - (b) a list of potential pollutants and their sources;

- (c) a description of the intended schedule or sequence of activities that will disturb soils for major portions of the site;
- (d) the total number of acres of the entire property and the total number of acres where construction activities will occur, including off-site material storage areas, overburden and stockpiles of dirt, and borrow areas that are authorized under the permittee's NOI;
- (e) data describing the soil or the quality of any discharge from the site;
- (f) a map showing the general location of the site (e.g. a portion of a city or county map);
- (g) a detailed site map (or maps) indicating the following:
 - (i) drainage patterns and approximate slopes anticipated after major grading activities;
 - (ii) areas where soil disturbance will occur;
 - (iii) locations of all major structural controls either planned or in place;
 - (iv) locations where temporary or permanent stabilization practices are expected to be used;
 - (v) locations of construction support activities, including off-site activities, that are authorized under the permittee's NOI, including material, waste, borrow, fill, or equipment storage areas;
 - (vi) surface waters (including wetlands) either at, adjacent, or in close proximity to the site;
 - (vii) locations where storm water discharges from the site directly to a surface water body or a municipal separate storm sewer system; and
 - (viii) vehicle wash areas.

Where the amount of information required to be included on the map would result in a single map being difficult to read and interpret, the operator shall develop a series of maps that collectively include the required information.

- (h) the location and description of support activities authorized under the permittee's NOI, including asphalt plants, concrete plants, and other activities providing support to the construction site that is authorized under this general permit;
- (i) the name of receiving waters at or near the site that may be disturbed or that may receive discharges from disturbed areas of the project;

- (j) a copy of this TPDES general permit, and
 - (k) the notice of intent (NOI) and acknowledgement certificate for primary operators of large construction sites, and the site notice for small construction sites and for secondary operators of large construction sites.
2. A description of the best management practices (BMPs) that will be used to minimize pollution in runoff.

The description must identify the general timing or sequence for implementation. At a minimum, the description must include the following components:

(a) General Requirements

- (i) Erosion and sediment controls must be designed to retain sediment on-site to the extent practicable with consideration for local topography, soil type, and rainfall.
- (ii) Control measures must be properly selected, installed, and maintained according to the manufacturer's or designer's specifications.
- (iii) Controls must be developed to minimize the offsite transport of litter, construction debris, and construction materials.

(b) Erosion Control and Stabilization Practices

The SWP3 must include a description of temporary and permanent erosion control and stabilization practices for the site, including a schedule of when the practices will be implemented. Site plans should ensure that existing vegetation is preserved where it is possible.

- (i) Erosion control and stabilization practices may include but are not limited to: establishment of temporary or permanent vegetation, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of existing trees and vegetation, slope texturing, temporary velocity dissipation devices, flow diversion mechanisms, and other similar measures.
- (ii) The following records must be maintained and either attached to or referenced in the SWP3, and made readily available upon request to the parties listed in Part III.D.1 of this general permit:
 - (A) the dates when major grading activities occur;
 - (B) the dates when construction activities temporarily or permanently cease on a portion of the site; and
 - (C) the dates when stabilization measures are initiated.

- (iii) Erosion control and stabilization measures must be initiated as soon as practicable in portions of the site where construction activities have temporarily ceased. Stabilization measures that provide a protective cover must be initiated as soon as practicable in portions of the site where construction activities have permanently ceased. Except as provided in (A) through (D) below, these measures must be initiated no more than 14 days after the construction activity in that portion of the site has temporarily or permanently ceased:
 - (A) Where the initiation of stabilization measures by the 14th day after construction activity temporarily or permanently ceased is precluded by snow cover or frozen ground conditions, stabilization measures must be initiated as soon as practicable.
 - (B) Where construction activity on a portion of the site has temporarily ceased, and earth disturbing activities will be resumed within 21 days, temporary erosion control and stabilization measures are not required on that portion of site.
 - (C) In arid areas, semiarid areas, and areas experiencing droughts where the initiation of stabilization measures by the 14th day after construction activity has temporarily or permanently ceased or is precluded by arid conditions, erosion control and stabilization measures must be initiated as soon as practicable. Where vegetative controls are not feasible due to arid conditions, the operator shall install non-vegetative erosion controls. If non-vegetative controls are not feasible, the operator shall install temporary sediment controls as required in Paragraph (D) below.
 - (D) In areas where temporary stabilization measures are infeasible, the operator may alternatively utilize temporary perimeter controls. The operator must document in the SWP3 the reason why stabilization measures are not feasible, and must demonstrate that the perimeter controls will retain sediment on site to the extent practicable. The operator must continue to inspect the BMPs at the frequency established in Section III.F.7.(a) for unstabilized sites.
 - (iv) Final stabilization must be achieved prior to termination of permit coverage.
- (c) Sediment Control Practices

The SWP3 must include a description of any sediment control practices used to remove eroded soils from storm water runoff, including the general timing or sequence for implementation of controls.

- (i) Sites With Drainage Areas of Ten or More Acres
 - (A) Sedimentation Basin(s)

- (1) A sedimentation basin is required, where feasible, for a common drainage location that serves an area with ten (10) or more acres disturbed at one time. A sedimentation basin may be temporary or permanent, and must provide sufficient storage to contain a calculated volume of runoff from a 2-year, 24-hour storm from each disturbed acre drained. When calculating the volume of runoff from a 2-year, 24-hour storm event, it is not required to include the flows from offsite areas and flow from onsite areas that are either undisturbed or have already undergone permanent stabilization, if these flows are diverted around both the disturbed areas of the site and the sediment basin. Capacity calculations shall be included in the SWP3.
 - (2) Where rainfall data is not available or a calculation cannot be performed, the sedimentation basin must provide at least 3,600 cubic feet of storage per acre drained until final stabilization of the site.
 - (3) If a sedimentation basin is not feasible, then the permittee shall provide equivalent control measures until final stabilization of the site. In determining whether installing a sediment basin is feasible, the permittee may consider factors such as site soils, slope, available area, public safety, precipitation patterns, site geometry, site vegetation, infiltration capacity, geotechnical factors, depth to groundwater, and other similar considerations. The permittee shall document the reason that the sediment basins are not feasible, and shall utilize equivalent control measures, which may include a series of smaller sediment basins.
- (B) Perimeter Controls: At a minimum, silt fences, vegetative buffer strips, or equivalent sediment controls are required for all down slope boundaries of the construction area, and for those side slope boundaries deemed appropriate as dictated by individual site conditions.
- (ii) Controls for Sites With Drainage Areas Less than Ten Acres:
- (A) Sediment traps and sediment basins may be used to control solids in storm water runoff for drainage locations serving less than ten (10) acres. At a minimum, silt fences, vegetative buffer strips, or equivalent sediment controls are required for all down slope boundaries of the construction area, and for those side slope boundaries deemed appropriate as dictated by individual site conditions.
 - (B) Alternatively, a sediment basin that provides storage for a calculated volume of runoff from a 2-year, 24-hour storm from each disturbed

acre drained may be utilized. Where rainfall data is not available or a calculation cannot be performed, a temporary or permanent sediment basin providing 3,600 cubic feet of storage per acre drained may be provided. If a calculation is performed, then the calculation shall be included in the SWP3.

3. A Description of Permanent Storm Water Controls

A description of any measures that will be installed during the construction process to control pollutants in storm water discharges that may occur after construction operations have been completed must be included in the SWP3. Permittees are only responsible for the installation and maintenance of storm water management measures prior to final stabilization of the site or prior to submission of an NOT.

4. Other Required Controls and BMPs

- (a) Permittees shall minimize, to the extent practicable, the off-site vehicle tracking of sediments and the generation of dust. The SWP3 shall include a description of controls utilized to accomplish this requirement.
- (b) The SWP3 must include a description of construction and waste materials expected to be stored on-site and a description of controls to minimize pollutants from these materials.
- (c) The SWP3 must include a description of potential pollutant sources from areas other than construction (such as storm water discharges from dedicated asphalt plants and dedicated concrete batch plants), and a description of controls and measures that will be implemented at those sites to minimize pollutant discharges.
- (d) Permittees shall place velocity dissipation devices at discharge locations and along the length of any outfall channel (i.e., runoff conveyance) to provide a non-erosive flow velocity from the structure to a water course, so that the natural physical and biological characteristics and functions are maintained and protected.
- (e) Permittees shall design and utilize appropriate controls to minimize the offsite transport of suspended sediments and other pollutants if it is necessary to pump or channel standing water from the site.

5. Documentation of Compliance with Approved State and Local Plans

- (a) Permittees must ensure that the SWP3 is consistent with requirements specified in applicable sediment and erosion site plans or site permits, or storm water management site plans or site permits approved by federal, state, or local officials.
- (b) SWP3s must be updated as necessary to remain consistent with any changes applicable to protecting surface water resources in sediment erosion site plans or site permits, or storm water management site plans or site permits approved by state or local official for which the permittee receives written notice.

- (c) If the permittee is required to prepare a separate management plan, including but not limited to a Water Pollution Abatement Plan or Contributing Zone Plan in accordance with 30 TAC Chapter 213 (related to the Edwards Aquifer), then a copy of that plan must be either included in the SWP3 or made readily available upon request to authorized personnel of the TCEQ. The permittee shall maintain a copy of the approval letter for the plan in its SWP3.

6. Maintenance Requirements

- (a) All protective measures identified in the SWP3 must be maintained in effective operating condition. If, through inspections or other means, the permittee determines that BMPs are not operating effectively, then the permittee shall perform maintenance as necessary to maintain the continued effectiveness of storm water controls, and prior to the next rain event if feasible. If maintenance prior to the next anticipated storm event is impracticable, the reason shall be documented in the SWP3 and maintenance must be scheduled and accomplished as soon as practicable. Erosion and sediment controls that have been intentionally disabled, run-over, removed, or otherwise rendered ineffective must be replaced or corrected immediately upon discovery.
- (b) If periodic inspections or other information indicates a control has been used incorrectly, is performing inadequately, or is damaged, then the operator must replace or modify the control as soon as practicable after making the discovery.
- (c) Sediment must be removed from sediment traps and sedimentation ponds no later than the time that design capacity has been reduced by 50%. For perimeter controls such as silt fences, berms, etc., the trapped sediment must be removed before it reaches 50% of the above-ground height.
- (d) If sediment escapes the site, accumulations must be removed at a frequency that minimizes off-site impacts, and prior to the next rain event, if feasible. If the permittee does not own or operate the off-site conveyance, then the permittee must work with the owner or operator of the property to remove the sediment.

7. Inspections of Controls

- (a) Personnel provided by the permittee must inspect disturbed areas of the construction site that have not been finally stabilized, areas used for storage of materials that are exposed to precipitation, discharge locations, and structural controls for evidence of, or the potential for, pollutants entering the drainage system. Personnel conducting these inspections must be knowledgeable of this general permit, familiar with the construction site, and knowledgeable of the SWP3 for the site. Sediment and erosion control measures identified in the SWP3 must be inspected to ensure that they are operating correctly. Locations where vehicles enter or exit the site must be inspected for evidence of off-site sediment tracking. Inspections must be conducted at least once every 14 calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater.

Where sites have been finally or temporarily stabilized or where runoff is unlikely due to winter conditions (e.g. site is covered with snow, ice, or frozen ground exists), inspections must be conducted at least once every month. In arid or semi-arid areas, inspections must be conducted at least once every month and within 24 hours after the end of a storm event of 0.5 inches or greater.

As an alternative to the above-described inspection schedule of once every 14 calendar days and within 24 hours of a storm event of 0.5 inches or greater, the SWP3 may be developed to require that these inspections will occur at least once every seven (7) calendar days. If this alternative schedule is developed, then the inspection must occur on a specifically defined day, regardless of whether or not there has been a rainfall event since the previous inspection. The inspections may occur on either schedule provided that the SWP3 reflects the current schedule and that any changes to the schedule are conducted in accordance with the following provisions: the schedule may be changed a maximum of one time each month, the schedule change must be implemented at the beginning of a calendar month, and the reason for the schedule change must be documented in the SWP3 (e.g., end of “dry” season and beginning of “wet” season).

- (b) Utility line installation, pipeline construction, and other examples of long, narrow, linear construction activities may provide inspection personnel with limited access to the areas described in Part III.F.8.(a) above. Inspection of these areas could require that vehicles compromise temporarily or even permanently stabilized areas, cause additional disturbance of soils, and increase the potential for erosion. In these circumstances, controls must be inspected at least once every 14 calendar days and within 24 hours of the end of a storm event of 0.5 inches, but representative inspections may be performed. For representative inspections, personnel must inspect controls along the construction site for 0.25 mile above and below each access point where a roadway, undisturbed right-of-way, or other similar feature intersects the construction site and allows access to the areas described in Part III.F.8.(a) above. The conditions of the controls along each inspected 0.25 mile portion may be considered as representative of the condition of controls along that reach extending from the end of the 0.25 mile portion to either the end of the next 0.25 mile inspected portion, or to the end of the project, whichever occurs first.

As an alternative to the above-described inspection schedule of once every 14 calendar days and within 24 hours of a storm event of 0.5 inches or greater, the SWP3 may be developed to require that these inspections will occur at least once every seven (7) calendar days. If this alternative schedule is developed, the inspection must occur on a specifically defined day, regardless of whether or not there has been a rainfall event since the previous inspection. The inspections may occur on either schedule provided that the SWP3 reflects the current schedule and that any changes to the schedule are conducted in accordance with the following provisions: the schedule may be changed a maximum of one time each month, the schedule change must be implemented at the beginning of a calendar month, and the reason for the schedule change must be documented in the SWP3 (e.g., end of “dry” season and beginning of “wet” season).

- (c) In the event of flooding or other uncontrollable situations which prohibit access to the inspection sites, inspections must be conducted as soon as access is practicable.
- (d) The SWP3 must be modified based on the results of inspections, as necessary, to better control pollutants in runoff. Revisions to the SWP3 must be completed within seven (7) calendar days following the inspection. If existing BMPs are modified or if additional BMPs are necessary, an implementation schedule must be described in the SWP3 and wherever possible those changes implemented before the next storm event. If implementation before the next anticipated storm event is impracticable, these changes must be implemented as soon as practicable.
- (e) A report summarizing the scope of the inspection, the date(s) of the inspection, and major observations relating to the implementation of the SWP3 must be made and retained as part of the SWP3. Major observations should include: The locations of discharges of sediment or other pollutants from the site; locations of BMPs that need to be maintained; locations of BMPs that failed to operate as designed or proved inadequate for a particular location; and locations where additional BMPs are needed.

Actions taken as a result of inspections must be described within, and retained as a part of, the SWP3. Reports must identify any incidents of non-compliance. Where a report does not identify any incidents of non-compliance, the report must contain a certification that the facility or site is in compliance with the SWP3 and this permit. The report must be signed by the person and in the manner required by 30 TAC § 305.128 (relating to Signatories to Reports).

The names and qualifications of personnel making the inspections for the permittee may be documented once in the SWP3 rather than being included in each report.

- 8. The SWP3 must identify and ensure the implementation of appropriate pollution prevention measures for all eligible non-storm water components of the discharge, as listed in Part II.A.3. of this permit.
- 9. The SWP3 must include the information required in Part III.B. of this general permit.

Part IV. Storm Water Runoff from Concrete Batch Plants

Discharges of storm water runoff from concrete batch plants at regulated construction sites may be authorized under the provisions of this general permit provided that the following requirements are met for concrete batch plant(s) authorized under this permit. If discharges of storm water runoff from concrete batch plants are not covered under this general permit, then discharges must be authorized under an alternative general permit or individual permit. This permit does not authorize the discharge or land disposal of any wastewater from concrete batch plants at regulated construction sites. Authorization for these wastes must be obtained under an individual permit or an alternative general permit.

Section A. Benchmark Sampling Requirements

- 1. Operators of concrete batch plants authorized under this general permit must sample the storm water runoff from the concrete batch plants according to the requirements of this

section of this general permit, and must conduct evaluations on the effectiveness of the SWP3 based on the following benchmark monitoring values:

| Benchmark Parameter | Benchmark Value | Sampling Frequency | Sample Type |
|----------------------------|-----------------------------|---------------------------|--------------------|
| Oil and Grease | 15 mg/L | 1/quarter (*1)(*2) | Grab (*3) |
| Total Suspended Solids | 100 mg/L | 1/quarter (*1)(*2) | Grab (*3) |
| pH | 6.0 - 9.0 Standard Units | 1/quarter (*1)(*2) | Grab (*3) |
| Total Iron | 1.3 mg/L | 1/quarter(*1)(*2) | Grab (*3) |

(*1) When discharge occurs. Sampling is required within the first 30 minutes of discharge. If it is not practicable to take the sample, or to complete the sampling, within the first 30 minutes, 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.

(*2) Sampling must be conducted at least once during each of the following periods. The first sample must be collected during the first full quarter that a storm water discharge occurs from a concrete batch plant authorized under this general permit.

- January through March
- April through June
- July through September
- October through December

For projects lasting less than one full quarter, a minimum of one sample shall be collected, provided that a storm water discharge occurred at least once following submission of the NOI or following the date that automatic authorization was obtained under Section II.E.2., and prior to terminating coverage.

(*3) A grab sample shall be collected from the storm water discharge resulting from a storm event that is at least 0.1 inches of measured precipitation that occurs at least 72 hours from the previously measurable storm event. The sample shall be collected downstream of the concrete batch plant, and where the discharge exits any BMPs utilized to handle the runoff from the batch plant, prior to commingling with any other water authorized under this general permit.

2. The permittee must compare the results of sample analyses to the benchmark values above, and must 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. Results of analyses are indicators that modifications of the SWP3 should be assessed and may be necessary to protect water quality. The operator must investigate the cause for each exceedance and must document the results of this investigation in the SWP3 by the end of the quarter following the sampling event.

The operator's investigation must identify the following:

- (a) any additional potential sources of pollution, such as spills that might have occurred,
- (b) necessary revisions to good housekeeping measures that are part of the SWP3,
- (c) additional BMPs, including a schedule to install or implement the BMPs, and
- (d) other parts of the SWP3 that may require revisions in order to meet the goal of the benchmark values.

Background concentrations of specific pollutants may also be considered during the investigation. If the operator is able to relate the cause of the exceedance to background concentrations, then subsequent exceedances of benchmark values for that pollutant may be resolved by referencing earlier findings in the SWP3. Background concentrations may be identified by laboratory analyses of samples of storm water runoff to the permitted facility, by laboratory analyses of samples of storm water run-off from adjacent non-industrial areas, or by identifying the pollutant is a naturally occurring material in soils at the site.

Section B. Best Management Practices (BMPs) and SWP3 Requirements

Minimum Storm Water Pollution Prevention Plan (SWP3) Requirements – The following are required in addition to other SWP3 requirements listed in this general permit (including, but not limited to Part III.F.7. of this permit):

1. Description of Potential Pollutant Sources - The SWP3 must provide a description of potential sources (activities and materials) that may reasonably be expected to affect the quality of storm water discharges associated with concrete batch plants authorized under this permit. The SWP3 must describe practices that that will be used to reduce the pollutants in these discharges to assure compliance with this general permit, including the protection of water quality, and must ensure the implementation of these practices.

The following must be developed, at a minimum, in support of developing this description:

- (a) Drainage – The site map must include the following information:
 - (1) the location of all outfalls for storm water discharges associated with concrete batch plants that are authorized under this permit;
 - (2) a depiction of the drainage area and the direction of flow to the outfall(s);
 - (3) structural controls used within the drainage area(s);
 - (4) the locations of the following areas associated with concrete batch plants that are exposed to precipitation: vehicle and equipment maintenance activities (including fueling, repair, and storage areas for vehicles and equipment scheduled for maintenance); areas used for the treatment, storage, or disposal

of wastes; liquid storage tanks; material processing and storage areas; and loading and unloading areas; and

- (5) the locations of the following: any bag house or other dust control device(s); recycle/sedimentation pond, clarifier or other device used for the treatment of facility wastewater (including the areas that drain to the treatment device); areas with significant materials; and areas where major spills or leaks have occurred.
 - (b) Inventory of Exposed Materials – A list of materials handled at the concrete batch plant that may be exposed to storm water and that have a potential to affect the quality of storm water discharges associated with concrete batch plants that are authorized under this general permit.
 - (c) Spills and Leaks - A list of significant spills and leaks of toxic or hazardous pollutants that occurred in areas exposed to storm water and that drain to storm water outfalls associated with concrete batch plants authorized under this general permit must be developed, maintained, and updated.
 - (d) Sampling Data - A summary of existing storm water discharge sampling data must be maintained, if available.
2. Measures and Controls - The SWP3 must include a description of management controls to regulate pollutants identified in the SWP3's "Description of Potential Pollutant Sources" from Part IV.B.1.(a) of this permit, and a schedule for implementation of the measures and controls. This must include, at a minimum:
- (a) Good Housekeeping - Good housekeeping measures must be developed and implemented in the area(s) associated with concrete batch plants.
 - (1) Operators must prevent or minimize the discharge of spilled cement, aggregate (including sand or gravel), settled dust, or other significant materials from paved portions of the site that are exposed to storm water. Measures used to minimize the presence of these materials may include regular sweeping or other equivalent practices. These practices must be conducted at a frequency that is determined based on consideration of the amount of industrial activity occurring in the area and frequency of precipitation, and shall occur at least once per week when cement or aggregate is being handled or otherwise processed in the area.
 - (2) Operators must prevent the exposure of fine granular solids, such as cement, to storm water. Where practicable, these materials must be stored in enclosed silos, hoppers or buildings, in covered areas, or under covering.
 - (b) Spill Prevention and Response Procedures - Areas where potential spills that can contribute pollutants to storm water runoff, and the drainage areas from these locations, must be identified in the SWP3. Where appropriate, the SWP3 must specify material handling procedures, storage requirements, and use of equipment.

Procedures for cleaning up spills must be identified in the SWP3 and made available to the appropriate personnel.

- (c) Inspections - Qualified facility personnel (i.e., a person or persons with knowledge of this general permit, the concrete batch plant, and the SWP3 related to the concrete batch plant(s) for the site) must be identified to inspect designated equipment and areas of the facility specified in the SWP3. The inspection frequency must be specified in the SWP3 based upon a consideration of the level of concrete production at the facility, but must be a minimum of once per month while the facility is in operation. The inspection must take place while the facility is in operation and must, at a minimum, include all areas that are exposed to storm water at the site, including material handling areas, above ground storage tanks, hoppers or silos, dust collection/containment systems, truck wash down and equipment cleaning areas. Follow-up procedures must be used to ensure that appropriate actions are taken in response to the inspections. Records of inspections must be maintained and be made readily available for inspection upon request.
 - (d) Employee Training - An employee training program must be developed to educate personnel responsible for implementing any component of the SWP3, or personnel otherwise responsible for storm water pollution prevention, with the provisions of the SWP3. The frequency of training must be documented in the SWP3, and at a minimum, must consist of one training prior to the initiation of operation of the concrete batch plant.
 - (e) Record Keeping and Internal Reporting Procedures - A description of spills and similar incidents, plus additional information that is obtained regarding the quality and quantity of storm water discharges, must be included in the SWP3. Inspection and maintenance activities must be documented and records of those inspection and maintenance activities must be incorporated in the SWP3.
 - (f) Management of Runoff - The SWP3 shall contain a narrative consideration for reducing the volume of runoff from concrete batch plants by diverting runoff or otherwise managing runoff, including use of infiltration, detention ponds, retention ponds, or reusing of runoff.
3. Comprehensive Compliance Evaluation – At least once per year, one or more qualified personnel (i.e., a person or persons with knowledge of this general permit, the concrete batch plant, and the SWP3 related to the concrete batch plant(s) for the site) shall conduct a compliance evaluation of the plant. The evaluation must include the following.
- (a) Visual examination of all areas draining storm water associated with regulated concrete batch plants for evidence of, or the potential for, pollutants entering the drainage system. These include but are not limited to: cleaning areas, material handling areas, above ground storage tanks, hoppers or silos, dust collection/containment systems, and truck wash down and equipment cleaning areas. Measures implemented to reduce pollutants in runoff (including structural controls and implementation of management practices) must be evaluated to determine if they are effective and if they are implemented in accordance with the terms of this permit

and with the permittee's SWP3. The operator shall conduct a visual inspection of equipment needed to implement the SWP3, such as spill response equipment.

- (b) Based on the results of the evaluation, the following must be revised as appropriate within two weeks of the evaluation: the description of potential pollutant sources identified in the SWP3 (as required in Part IV.B.1., "Description of Potential Pollutant Sources"); and pollution prevention measures and controls identified in the SWP3 (as required in Part IV.B.2., "Measures and Controls"). The revisions may include a schedule for implementing the necessary changes.
- (c) The permittee shall prepare and include in the SWP3 a report summarizing the scope of the evaluation, the personnel making the evaluation, the date(s) of the evaluation, major observations relating to the implementation of the SWP3, and actions taken in response to the findings of the evaluation. The report must identify any incidents of noncompliance. Where the report does not identify incidences of noncompliance, the report must contain a statement that the evaluation did not identify any incidence(s), and the report must be signed according to 30 TAC Section 305.128, relating to Signatories to Reports.
- (d) The Comprehensive Compliance Evaluation may substitute for one of the required inspections delineated in Part IV.B.2.(c) of this general permit.

Section C. Prohibition of Wastewater Discharges

Wastewater discharges associated with concrete production including wastewater disposal by land application are not authorized under this general permit. These wastewater discharges must be authorized under an alternative TCEQ water quality permit or otherwise disposed of in an authorized manner. Discharges of concrete truck washout at construction sites may be authorized if conducted in accordance with the requirements of Part V of this general permit.

Part V. Concrete Truck Wash Out Requirements

This general permit authorizes the wash out of concrete trucks at construction sites regulated under Sections II.E.1., 2., and 3. of this general permit, provided the following requirements are met. Authorization is limited to the land disposal of wash out water from concrete trucks that are associated with off-site production facilities. Wash out water associated with on-site concrete production facilities must be authorized under a separate TCEQ general permit or individual permit.

1. Direct discharge of concrete truck wash out water to surface water in the state, including discharge to storm sewers, is prohibited by this general permit.
2. Concrete truck wash out water shall be discharged to areas at the construction site where structural controls have been established to prevent direct discharge to surface waters, or to areas that have a minimal slope that allow infiltration and filtering of wash out water to prevent direct discharge to surface waters. Structural controls may consist of temporary berms, temporary shallow pits, temporary storage tanks with slow rate release, or other reasonable measures to prevent runoff from the construction site.
3. Wash out of concrete trucks during rainfall events shall be minimized. The direct discharge

- of concrete truck wash out water is prohibited at all times, and the operator shall insure that its BMPs are sufficient to prevent the discharge of concrete truck washout as the result of rain.
4. The discharge of wash out water shall not cause or contribute to groundwater contamination.
 5. If a SWP3 is required to be implemented, the SWP3 shall include concrete wash out areas on the associated map.

Part VI. Retention of Records

The permittee must retain the following records for a minimum period of three (3) years from the date that a NOT is submitted as required by Part II.E.3. For activities in which an NOT is not required, records shall be retained for a minimum period of three (3) years from the date that the operator terminates coverage under Section II.F.3. of this permit. Records include:

1. A copy of the SWP3;
2. All reports and actions required by this permit, including a copy of the construction site notice;
3. All data used to complete the NOI, if an NOI is required for coverage under this general permit; and
4. All records of submittal of forms submitted to the operator of any MS4 receiving the discharge and to the secondary operator of a large construction site, if applicable.

Part VII. Standard Permit Conditions

1. The permittee has a duty to comply with all permit conditions. Failure to comply with any permit condition is a violation of the permit and statutes under which it was issued, and is grounds for enforcement action, for terminating coverage under this general permit, or for requiring a discharger to apply for and obtain an individual TPDES permit.
2. 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 must furnish to the executive director, upon request and within a reasonable time, any information necessary for the executive director to determine whether cause exists for revoking, suspending, or terminating authorization under this permit. Additionally, the permittee must provide to the executive director, upon request, copies of all records that the permittee is required to maintain as a condition of this general permit.
3. It is not a defense for a discharger in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with the permit conditions.
4. Inspection and entry shall be allowed under Texas Water Code Chapters 26-28, Texas Health and Safety Code §§361.032-361.033 and 361.037, and 40 Code of Federal Regulations (CFR) §122.41(i). The statement in Texas Water Code §26.014 that commission entry of a facility shall occur according to 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 or site, but merely describes the commission's duty to observe appropriate rules and regulations during an inspection.

5. The discharger is subject to administrative, civil, and criminal penalties, as applicable, under Texas Water Code §§26.136, 26.212, and 26.213 for violations including but not limited to the following:
 - a. negligently or knowingly violating the federal Clean Water Act (CWA), §§301, 302, 306, 307, 308, 318, or 405, or any condition or limitation implementing any sections in a permit issued under CWA, §402, or any requirement imposed in a pretreatment program approved under CWA, §§402(a)(3) or 402(b)(8);
 - b. knowingly making any false statement, representation, or certification in any record or other document submitted or required to be maintained under a permit, including monitoring reports or reports of compliance or noncompliance.
6. All reports and other information 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).
7. Authorization under this general permit does not convey property or water rights of any sort and does not grant any exclusive privilege.

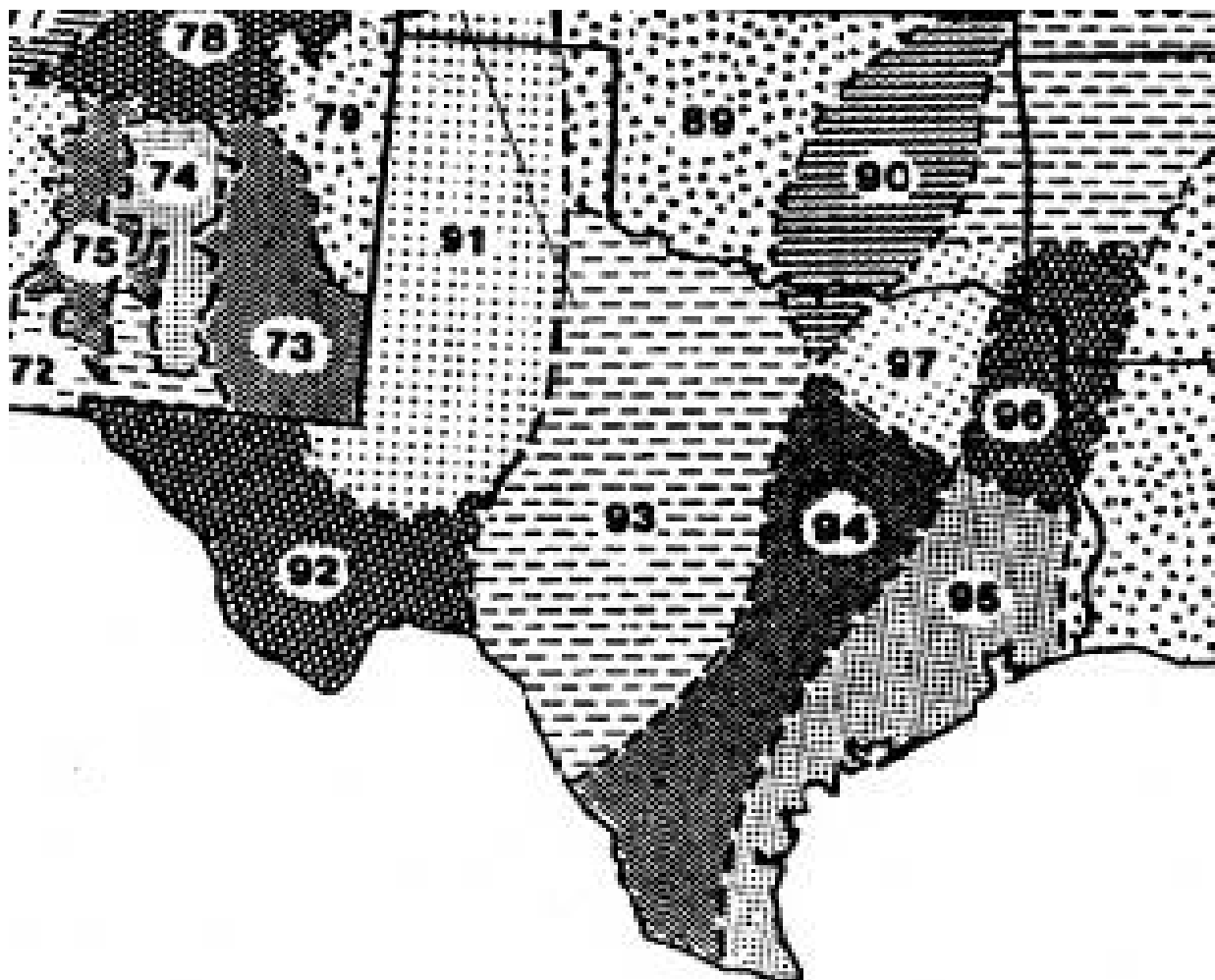
Part VIII. Fees

1. A fee of must be submitted along with the NOI:
 - a. \$325 if submitting a paper NOI, or
 - b. \$225 if submitting a NOI electronically.
2. Fees are due upon submission of the NOI. An NOI will not be declared administratively complete unless the associated fee has been paid in full.
3. No separate annual fees will be assessed. The Water Quality Annual fee has been incorporated into the NOI fees as described above.

Appendix A: Automatic Authorization
Periods of Low Erosion Potential by County – Eligible Date Ranges

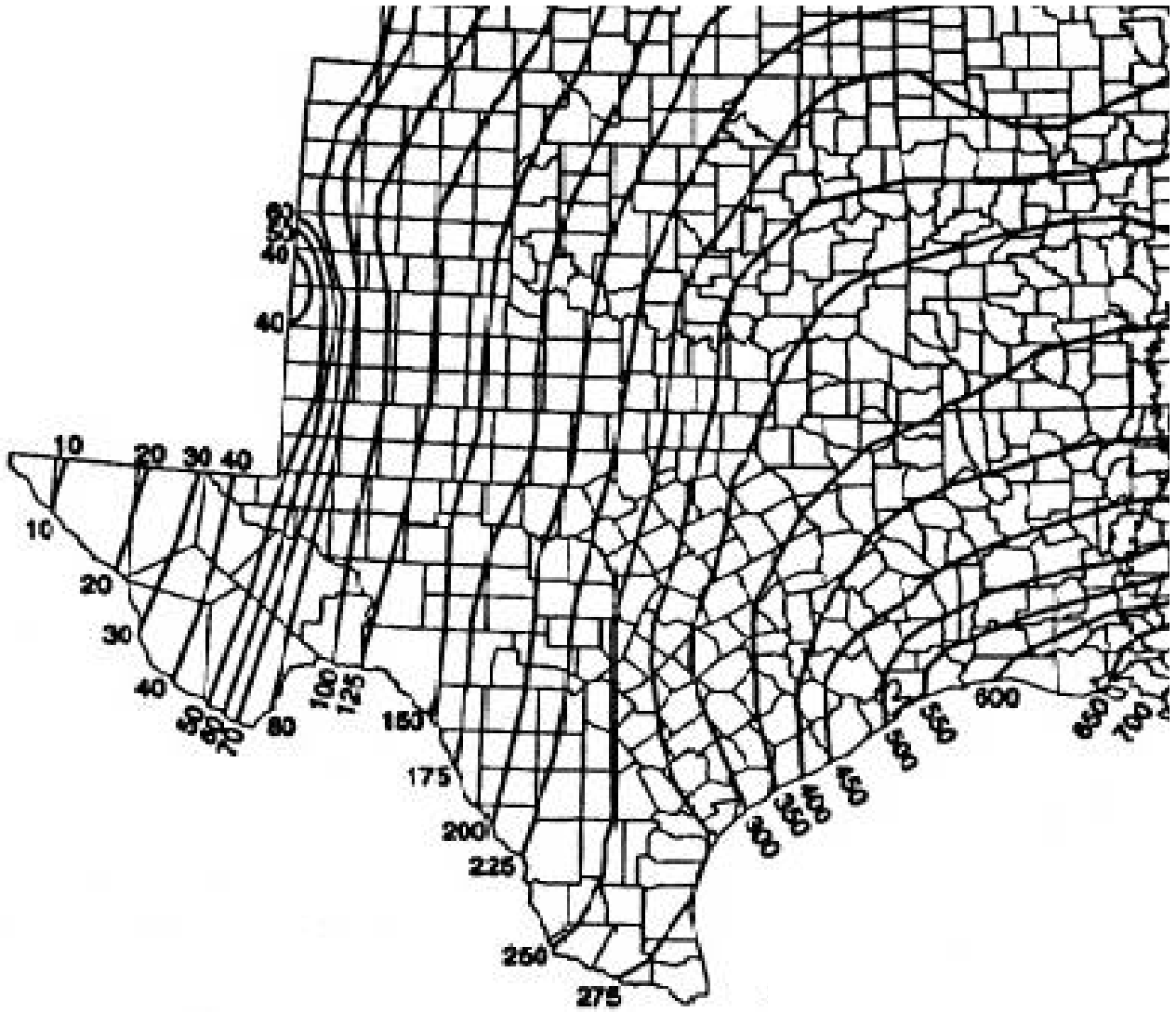
| | |
|---|---|
| Andrews: Nov. 15 - Apr. 30 | Kerr: Dec. 15 - Feb. 14 |
| Archer: Dec. 15 - Feb. 14 | Kimble: Dec. 15 - Feb. 14 |
| Armstrong: Nov. 15 - Apr. 30 | King: Dec. 15 - Feb. 14 |
| Bailey: Nov. 1 - Apr. 30, or Nov. 15 - May 14 | Kinney: Dec. 15 - Feb. 14 |
| Baylor: Dec. 15 - Feb. 14 | Knox: Dec. 15 - Feb. 14 |
| Borden: Nov. 15 - Apr. 30 | Lamb: Nov. 1 - Apr. 14, or Nov. 15 - Apr. 30 |
| Brewster: Nov. 15 - Apr. 30 | Loving: Nov. 1 - Apr. 30, or Nov. 15 - May 14 |
| Briscoe: Nov. 15 - Apr. 30 | Lubbock: Nov. 15 - Apr. 30 |
| Brown: Dec. 15 - Feb. 14 | Lynn: Nov. 15 - Apr. 30 |
| Callahan: Dec. 15 - Feb. 14 | Martin: Nov. 15 - Apr. 30 |
| Carson: Nov. 15 - Apr. 30 | Mason: Dec. 15 - Feb. 14 |
| Castro: Nov. 15 - Apr. 30 | Maverick: Dec. 15 - Feb. 14 |
| Childress: Dec. 15 - Feb. 14 | McCulloch: Dec. 15 - Feb. 14 |
| Cochran: Nov. 1 - Apr. 30, or Nov. 15 - May 14 | Menard: Dec. 15 - Feb. 14 |
| Coke: Dec. 15 - Feb. 14 | Midland: Nov. 15 - Apr. 30 |
| Coleman: Dec. 15 - Feb. 14 | Mitchell: Nov. 15 - Apr. 30 |
| Collingsworth: Jan. 1 - Mar. 30, or Dec. 1 - Feb. 28 | Moore: Nov. 15 - Apr. 30 |
| Concho: Dec. 15 - Feb. 14 | Motley: Nov. 15 - Jan. 14, or Feb. 1 - Mar. 30 |
| Cottle: Dec. 15 - Feb. 14 | Nolan: Dec. 15 - Feb. 14 |
| Crane: Nov. 15 - Apr. 30 | Oldham: Nov. 15 - Apr. 30 |
| Crockett: Nov. 15 - Jan. 14, or Feb. 1 - Mar. 30 | Parmer: Nov. 1 - Apr. 14, or Nov. 15 - Apr. 30 |
| Crosby: Nov. 15 - Apr. 30 | Pecos: Nov. 15 - Apr. 30 |
| Culberson: Nov. 1 - May 14 | Potter: Nov. 15 - Apr. 30 |
| Dallam: Nov. 1 - Apr. 14, or Nov. 15 - Apr. 30 | Presidio: Nov. 1 - Apr. 30, or Nov. 15 - May 14 |
| Dawson: Nov. 15 - Apr. 30 | Randall: Nov. 15 - Apr. 30 |
| Deaf Smith: Nov. 15 - Apr. 30 | Reagan: Nov. 15 - Apr. 30 |
| Dickens: Nov. 15 - Jan. 14, or Feb. 1 - Mar. 30 | Real: Dec. 15 - Feb. 14 |
| Dimmit: Dec. 15 - Feb. 14 | Reeves: Nov. 1 - Apr. 30, or Nov. 15 - May 14 |
| Donley: Jan. 1 - Mar. 30, or Dec. 1 - Feb. 28 | Runnels: Dec. 15 - Feb. 14 |
| Eastland: Dec. 15 - Feb. 14 | Schleicher: Dec. 15 - Feb. 14 |
| Ector: Nov. 15 - Apr. 30 | Scurry: Nov. 15 - Apr. 30 |
| Edwards: Dec. 15 - Feb. 14 | Shackelford: Dec. 15 - Feb. 14 |
| El Paso: Jan. 1 - Jul. 14, or May 15 - Jul. 31, or Jun. 1 - Aug. 14, or Jun. 15 - Sept. 14, or Jul. 1 - Oct. 14, or Jul. 15 - Oct. 31, or Aug. 1 - Apr. 30, or Aug. 15 - May 14, or Sept. 1 - May 30, or Oct. 1 - Jun. 14, or Nov. 1 - Jun. 30, or Nov. 15 - Jul. 14 | Sherman: Nov. 15 - Apr. 30 |
| Fisher: Dec. 15 - Feb. 14 | Stephens: Dec. 15 - Feb. 14 |
| Floyd: Nov. 15 - Apr. 30 | Sterling: Nov. 15 - Apr. 30 |
| Foard: Dec. 15 - Feb. 14 | Stonewall: Dec. 15 - Feb. 14 |
| Gaines: Nov. 15 - Apr. 30 | Sutton: Dec. 15 - Feb. 14 |
| Garza: Nov. 15 - Apr. 30 | Swisher: Nov. 15 - Apr. 30 |
| Glasscock: Nov. 15 - Apr. 30 | Taylor: Dec. 15 - Feb. 14 |
| Hale: Nov. 15 - Apr. 30 | Terrell: Nov. 15 - Apr. 30 |
| Hall: Feb. 1 - Mar. 30 | Terry: Nov. 15 - Apr. 30 |
| Hansford: Nov. 15 - Apr. 30 | Throckmorton: Dec. 15 - Feb. 14 |
| Hardeman: Dec. 15 - Feb. 14 | Tom Green: Dec. 15 - Feb. 14 |
| Hartley: Nov. 15 - Apr. 30 | Upton: Nov. 15 - Apr. 30 |
| Haskell: Dec. 15 - Feb. 14 | Uvalde: Dec. 15 - Feb. 14 |
| Hockley: Nov. 1 - Apr. 14, or Nov. 15 - Apr. 30 | Val Verde: Nov. 15 - Jan. 14, or Feb. 1 - Mar. 30 |
| Howard: Nov. 15 - Apr. 30 | Ward: Nov. 1 - Apr. 14, or Nov. 15 - Apr. 30 |
| Hudspeth: Nov. 1 - May 14 | Wichita: Dec. 15 - Feb. 14 |
| Hutchinson: Nov. 15 - Apr. 30 | Wilbarger: Dec. 15 - Feb. 14 |
| Irion: Dec. 15 - Feb. 14 | Winkler: Nov. 1 - Apr. 30, or Nov. 15 - May 14 |
| Jeff Davis: Nov. 1 - Apr. 30 or Nov. 15 - May 14 | Yoakum: Nov. 1 - Apr. 30, or Nov. 15 - May 14 |
| Jones: Dec. 15 - Feb. 14 | Young: Dec. 15 - Feb. 14 |
| Kent: Nov. 15 - Jan. 14 or Feb. 1 - Mar. 30 | Wheeler: Jan. 1 - Mar. 30, or Dec. 1 - Feb. 28 |
| | Zavala: Dec. 15 - Feb. 14 |

**Appendix B:
Erosivity Index (EI) Zones in Texas**



Adapted from Chapter 2 of USDA Agriculture Handbook 703: "Predicting Soil Erosion by Water: A Guide to Conservation Planning With the Revised Universal Soil Loss Equation (RUSLE)," U.S. Department of Agriculture, Agricultural Research Service

Appendix C: Isoerodent Map



Adapted from Chapter 2 of USDA Agriculture Handbook 703: "Predicting Soil Erosion by Water: A Guide to Conservation Planning With the Revised Universal Soil Loss Equation (RUSLE)," U.S. Department of Agriculture, Agricultural Research Service

Appendix D: Erosivity Indices for EI Zones in Texas

Periods:

| | 1/1 | 1/15 | 2/1 | 2/15 | 3/1 | 3/15 | 4/1 | 4/15 | 5/1 | 5/15 | 6/1 | 6/15 | 7/1 | 7/15 | 8/1 | 8/15 | 9/1 | 9/15 | 10/1 | 10/15 | 11/1 | 11/15 | 12/1 | 12/15 |
|------------|-----|------|-----|------|-----|------|-----|------|-----|------|-----|------|-----|------|-----|------|-----|------|------|-------|------|-------|------|-------|
| 89 | 0 | 0 | 1 | 1 | 2 | 3 | 4 | 7 | 12 | 18 | 27 | 38 | 48 | 55 | 62 | 69 | 76 | 83 | 90 | 94 | 97 | 98 | 99 | 100 |
| 90 | 0 | 1 | 2 | 3 | 4 | 6 | 8 | 13 | 21 | 29 | 37 | 46 | 54 | 60 | 65 | 69 | 74 | 81 | 87 | 92 | 95 | 97 | 98 | 99 |
| 91 | 0 | 0 | 0 | 0 | 1 | 1 | 1 | 2 | 6 | 16 | 29 | 39 | 46 | 53 | 60 | 67 | 74 | 81 | 88 | 95 | 99 | 99 | 100 | 100 |
| 92 | 0 | 0 | 0 | 0 | 1 | 1 | 1 | 2 | 6 | 16 | 29 | 39 | 46 | 53 | 60 | 67 | 74 | 81 | 88 | 95 | 99 | 99 | 100 | 100 |
| 93 | 0 | 1 | 1 | 2 | 3 | 4 | 6 | 8 | 13 | 25 | 40 | 49 | 56 | 62 | 67 | 72 | 76 | 80 | 85 | 91 | 97 | 98 | 99 | 99 |
| 94 | 0 | 1 | 2 | 4 | 6 | 8 | 10 | 15 | 21 | 29 | 38 | 47 | 53 | 57 | 61 | 65 | 70 | 76 | 83 | 88 | 91 | 94 | 96 | 98 |
| 95 | 0 | 1 | 3 | 5 | 7 | 9 | 11 | 14 | 18 | 27 | 35 | 41 | 46 | 51 | 57 | 62 | 68 | 73 | 79 | 84 | 89 | 93 | 96 | 98 |
| 96 | 0 | 2 | 4 | 6 | 9 | 12 | 17 | 23 | 30 | 37 | 43 | 49 | 54 | 58 | 62 | 66 | 70 | 74 | 78 | 82 | 86 | 90 | 94 | 97 |
| 97 | 0 | 1 | 3 | 5 | 7 | 10 | 14 | 20 | 28 | 37 | 48 | 56 | 61 | 64 | 68 | 72 | 77 | 81 | 86 | 89 | 92 | 95 | 98 | 99 |
| 106 | 0 | 3 | 6 | 9 | 13 | 17 | 21 | 27 | 33 | 38 | 44 | 49 | 55 | 61 | 67 | 71 | 75 | 78 | 81 | 84 | 86 | 90 | 94 | 97 |

* Each period begins on the date listed in the table above and lasts until the day before the following period. The final period begins on December 15 and ends on December 31.

Table adapted from Chapter 2 of USDA Agriculture Handbook 703: "Predicting Soil Erosion by Water: A Guide to Conservation Planning With the Revised Universal Soil Loss Equation (RUSLE)," U.S. Department of Agriculture, Agricultural Research Service

Attachment 1



**SMALL CONSTRUCTION SITE NOTICE:
LOW POTENTIAL FOR EROSION
FOR THE
Texas Commission on Environmental Quality (TCEQ)
Storm Water Program
TPDES GENERAL PERMIT TXR150000**

The following information is posted in compliance with **Part II.E.1.** of the TCEQ General Permit Number TXR150000 for discharges of storm water runoff from small construction sites automatically authorized based on low rainfall erosivity. Additional information regarding the TCEQ storm water permit program may be found on the internet at:
http://www.tceq.state.tx.us/nav/permits/wq_construction.html

| | |
|--|--|
| Operator Name: | |
| Contact Name and Phone Number: | |
| Project Description: (Physical address or description of the site's location, estimated start date and projected end date, or date that disturbed soils will be stabilized) | |

For Small Construction Sites Authorized Under Part II.E.1., the following certification must be completed:

I _____ (Typed or Printed Name Person Completing This Certification) certify under penalty of law that I have read and understand the eligibility requirements for claiming an automatic authorization based on low rainfall erosivity under Part II.E.1. of TPDES General Permit TXR150000 and agree to comply with the terms of this permit. Construction activities at this site shall occur within a time period listed in Appendix A of the TPDES general permit for this county, that period beginning on _____ and ending on _____. I understand that if construction activities continue past this period, all storm water runoff must be authorized under a separate provision of the general permit. A copy of this signed notice is supplied to the operator of the MS4 if discharges enter an MS4. I am aware there are significant penalties for providing false information or for conducting unauthorized discharges, including the possibility of fine and imprisonment for knowing violations.

Signature and Title _____ Date _____

Date Notice Removed
MS4 operator notified per Part II.F.3.

SMALL CONSTRUCTION SITE NOTICE

**FOR THE
Texas Commission on Environmental Quality (TCEQ)
Storm Water Program
TPDES GENERAL PERMIT TXR150000**

The following information is posted in compliance with **Part II.E.2.** of the TCEQ General Permit Number TXR150000 for discharges of storm water runoff from small construction sites. Additional information regarding the TCEQ storm water permit program may be found on the internet at:
http://www.tceq.state.tx.us/nav/permits/wq_construction.html

| | |
|--|--|
| Operator Name: | |
| Contact Name and Phone Number: | |
| Project Description: <i>Physical address or description of the site's location, estimated start date and projected end date, or date that disturbed soils will be stabilized</i> | |
| Location of Storm Water Pollution Prevention Plan: | |

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

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

Signature and Title _____ Date _____

_____ *Date Notice Removed*
_____ *MS4 operator notified per Part II.F.3.*

Attachment 3



LARGE CONSTRUCTION SITE NOTICE

FOR THE
Texas Commission on Environmental Quality (TCEQ)
Storm Water Program
TPDES GENERAL PERMIT TXR150000
“SECONDARY OPERATOR” NOTICE

This notice applies to secondary operators of construction sites operating under Part II.E.3. of the TPDES General Permit Number TXR150000 for discharges of storm water runoff from construction sites equal to or greater than five acres, including the larger common plan of development. The information on this notice is required in Part III.E.2. of the general permit. Additional information regarding the TCEQ storm water permit program may be found on the internet at: http://www.tceq.state.tx.us/nav/permits/sw_permits.html

| | |
|---|--|
| Site-Specific TPDES Authorization Number: | |
| Operator Name: | |
| Contact Name and Phone Number: | |
| Project Description: <i>Physical address or description of the site's location, and estimated start date and projected end date, or date that disturbed soils will be stabilized.</i> | |
| Location of Storm Water Pollution Prevention Plan (SWP3): | |

For Large Construction Activities Authorized Under Part II.E.3. (Obtaining Authorization to Discharge) the following certification must be completed:

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

Signature and Title _____ Date _____

_____ *Date Notice Removed*
 _____ *MS4 operator notified per Part II.F.3.*

Attachment 4



LARGE CONSTRUCTION SITE NOTICE

**FOR THE
Texas Commission on Environmental Quality (TCEQ)
Storm Water Program
TPDES GENERAL PERMIT TXR150000**

“PRIMARY OPERATOR” NOTICE

This notice applies to construction sites operating under Part II.E.3. of the TPDES General Permit Number TXR150000 for discharges of storm water runoff from construction sites equal to or greater than five acres, including the larger common plan of development. The information on this notice is required in Part III.E.2. of the general permit. This notice shall be posted along with a copy of the signed Notice of Intent (NOI), as applicable. Additional information regarding the TCEQ storm water permit program may be found on the internet at: http://www.tceq.state.tx.us/nav/permits/sw_permits.html

| | |
|---|--|
| Site-Specific TPDES Authorization Number: | |
| Operator Name: | |
| Contact Name and Phone Number: | |
| Project Description: <i>Physical address or description of the site's location, and estimated start date and projected end date, or date that disturbed soils will be stabilized.</i> | |
| Location of Storm Water Pollution Prevention Plan: | |