# Texas Commission on Environmental Quality

P.O. Box 13087, Austin, Texas 78711-3087

## GENERAL PERMIT TO DISCHARGE UNDER THE

## TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM

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

This permit supersedes and replaces
TPDES General Permit No. TXR150000,
effective March 5, 2018, and amended January 28, 2022

Construction sites that discharge stormwater associated with construction activity located in the state of Texas may discharge to surface water in the state only according to monitoring requirements and other conditions set forth in this general permit, as well as the rules of the Texas Commission on Environmental Quality (TCEQ or Commission), the laws of the State of Texas, and other orders of the Commission of the TCEQ. The issuance of this general permit does not grant to the permittee the right to use private or public property for conveyance of stormwater and certain non-stormwater discharges along the discharge route. This includes property belonging to but not limited to any individual, partnership, corporation or other entity. Neither does this general permit authorize any invasion of personal rights nor any violation of federal, state, or local laws or regulations. It is the responsibility of the permittee to acquire property rights as may be necessary to use the discharge route.

This general permit and the authorization contained herein shall expire at midnight, on March 5, 2028.

EFFECTIVE DATE: March 5, 2023

ISSUED DATE: February 27, 2023

For the Commission

**TPDES GENERAL PERMIT NUMBER TXR150000**

**RELATING TO STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITIES**

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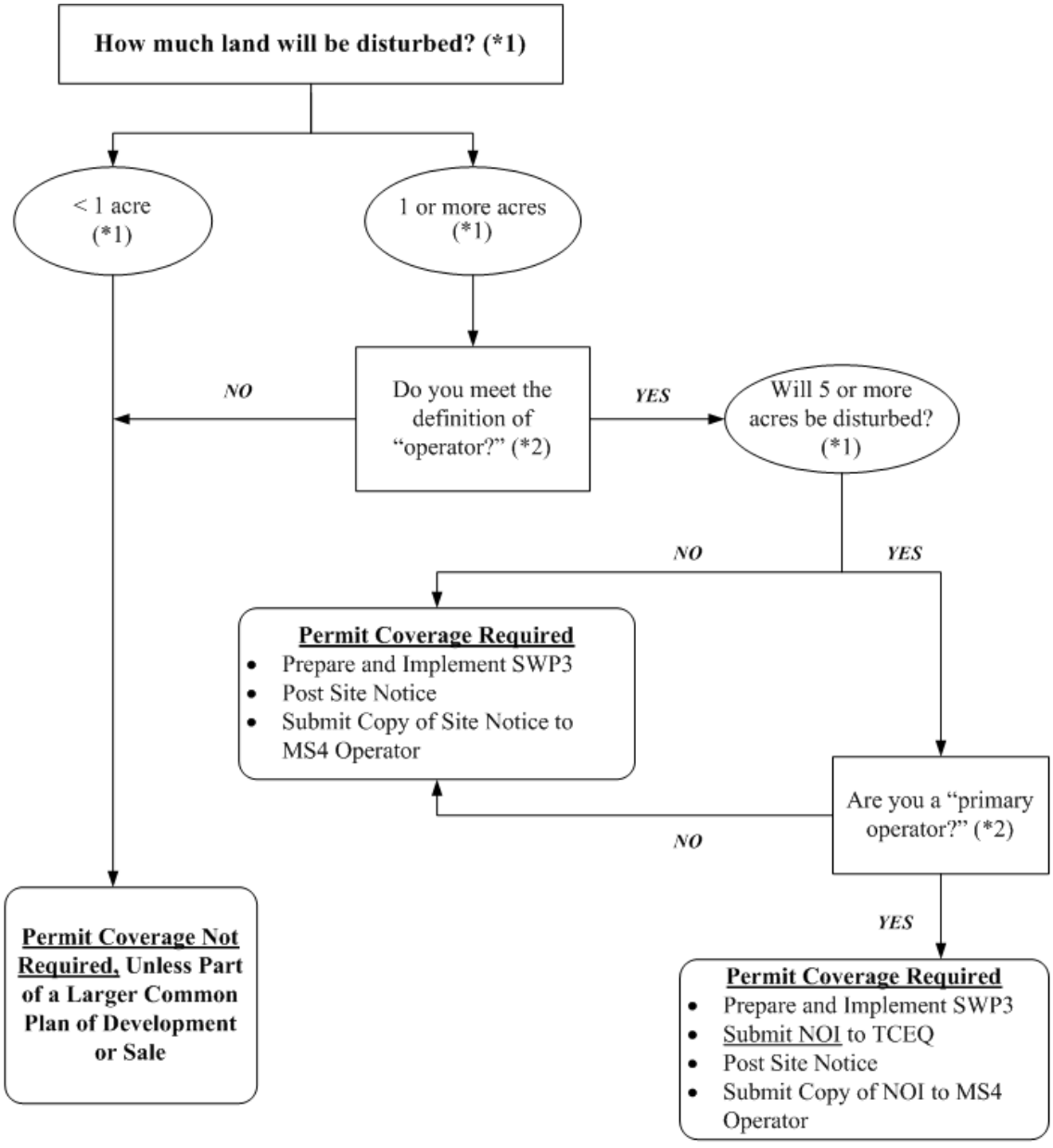
## Part I. Flow Chart and Definitions

### Section A. Flow Chart to Determine Whether Coverage is Required

*When calculating the acreage of land area disturbed, include the disturbed land-area of all construction and construction support activities.*




***(*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 "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 zero (0) to ten (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., demolition; grubbing; stockpiling of fill material; placement of raw materials at the site).

**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 one quarter (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.

**Construction Activity** – Includes soil disturbance activities, including clearing, grading, excavating, construction-related activity (e.g., stockpiling of fill material, demolition), and construction support activity. This 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 rights-of-way, and similar maintenance activities). Regulated construction activity is defined in terms of small and large construction activity.

**Construction Support Activity** – A construction-related activity that specifically supports construction activity, which can involve earth disturbance or pollutant-generating activities of its own, and can include, but are not limited to, activities associated with concrete or asphalt batch plants, rock crushers, equipment staging or storage areas, chemical storage areas, material storage areas, material borrow areas, and excavated material disposal areas. Construction support activity must only directly support the construction activity authorized under this general permit.

**Dewatering** – The act of draining accumulated stormwater or groundwater from building foundations, vaults, trenches, and other similar points of accumulation.

**Discharge** – For the purposes of this permit, the drainage, release, or disposal of pollutants in stormwater and certain non-stormwater 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 wash out, fueling), or other industrial stormwater directly related to the construction process (e.g., concrete or asphalt batch plants) are located.

**Drought-Stricken Area** – For the purposes of this permit, an area in which the National Oceanic and Atmospheric Administration's U.S. Seasonal Drought Outlook indicates for the period during which the construction will occur that any of the following conditions are likely: (1) "Drought to persist or intensify", (2) "Drought ongoing, some improvement", (3) "Drought likely to improve, impacts ease", or (4) "Drought development likely". See http://www.cpc.ncep.noaa.gov/products/expert_assessment/seasonal_drought.html.

**Edwards Aquifer** – As defined under Texas Administrative Code (TAC) § 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 (TCEQ) and the appropriate regional office. The Edwards Aquifer Map Viewer, located at https://www.tceq.texas.gov/gis/edwards-viewer.html

**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 No. 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 No. 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 No. 1216 of the Brazos River Basin. The contributing zone is illustrated on the Edwards Aquifer map viewer at https://www.tceq.texas.gov/gis/edwards-viewer.html

**Effluent Limitations Guideline (ELG)** – Defined in 40 Code of Federal Regulations (CFR) § 122.2 as a regulation published by the Administrator under § 304(b) of the Clean Water Act (CWA) to adopt or revise effluent limitations.

**Facility or Activity** – For the purpose of this permit, referring to a construction site, the location of construction activity, or a construction support activity that is regulated under this general permit, including all contiguous land and fixtures (for example, ponds and materials stockpiles), structures, or appurtenances used at a construction site or industrial site.

**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 (that is, 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, or gabions) 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 BMPs, and informing the homeowner of the need for removal of temporary controls and the establishment of final stabilization. Fulfillment of this requirement must be documented in the homebuilder's stormwater pollution prevention plan (SWP3).

(c) For construction activities on land used for agricultural purposes (such as 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 (for example, 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% of the native background vegetative coverage within three years.

**High-Level Radioactive Waste** – Meaning as assigned by 42 United States Code (U.S.C.) Section 10101 (12) and includes spent nuclear fuel as defined by 42 U.S.C. Section 10101 (23).

**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.

**Impaired Water** – A surface water body that is identified as impaired on the latest approved CWA § 303(d) List or waters with an EPA-approved or established total maximum daily load (TMDL) that are found on the latest EPA approved *Texas Integrated Report of Surface Water Quality for CWA Sections 305(b) and 303(d)*, which lists the category 4 and 5 water bodies.

**Indian Country Land** – (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. (40 CFR § 122.2)

**Indian Tribe** – Any Indian Tribe, band, group, or community recognized by the Secretary of the Interior and exercising governmental authority over a Federal Indian Reservation (40 CFR § 122.2).

**Infeasible** – Not technologically possible, or not economically practicable and achievable in light of best industry practices. (40 CFR § 450.11(b)).

**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 (for example, the routine grading of existing dirt roads, asphalt overlays of existing roads, the routine clearing of existing right-of-ways, and similar maintenance activities).

**Linear Project** – Includes the construction of roads, bridges, conduits, substructures, pipelines, sewer lines, towers, poles, cables, wires, connectors, switching, regulating and transforming equipment and associated ancillary facilities in a long, narrow area.

**Low Rainfall Erosivity Waiver (LREW)** – A written submission to the executive director from an operator of a construction site that is considered as small construction activity under the permit, which qualifies for a waiver from the requirements for small construction activities, only during the period of time when the calculated rainfall erosivity factor is less than five (5).

**Minimize** – To reduce or eliminate to the extent achievable using stormwater controls that are technologically available and economically practicable and achievable in light of best industry practices.

**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, stormwater, 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 this 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 construction activity that meets either of the following two criteria:

(a) the person or persons have on-site 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 Stormwater Pollution Prevention Plan (SWP3) for the site or other permit conditions (for example, 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 or entity, often the property owner, whose operational control is limited to:

(a) the employment of other operators, such as a general contractor, to perform or supervise construction activities; or

(b) the ability to approve or disapprove changes to construction plans and specifications, but who does not have day-to-day on-site operational control over construction activities at the site.

Secondary operators must either prepare their own SWP3 or participate in a shared SWP3 that covers the areas of the construction site, where they have control over the construction plans and specifications.

If there is not a primary operator at the construction site, then the secondary operator is defined as the primary operator and must comply with the requirements for primary operators.

**Outfall** – For the purpose of this permit, a point source at the point where stormwater 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 stormwater runoff and certain non-stormwater discharges from construction activity.

**Point Source** – Any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are, or may be, discharged. This term does not include return flows from irrigated agriculture or agricultural stormwater runoff (40 CFR § 122.2).

**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** – 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 (Texas Water Code (TWC) § 26.001(14)).

**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).

**Receiving Water** – A "Water of the United States" as defined in 40 CFR § 122.2 or a surface water in the state into which the regulated stormwater discharges.

**Semi-arid 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 stormwater; 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 (for example, the routine grading of existing dirt roads, asphalt overlays of existing roads, the routine clearing of existing right-of-ways, and similar maintenance activities).

**Steep Slopes** – Where a state, Tribe, local government, or industry technical manual (e.g., stormwater BMP manual) has defined what is to be considered a "steep slope", this permit's definition automatically adopts that definition. Where no such definition exists, steep slopes are automatically defined as those that are 15 percent or greater in grade.

**Stormwater (or Stormwater Runoff)** – Rainfall runoff, snow melt runoff, and surface runoff and drainage.

**Stormwater Associated with Construction Activity** – Stormwater runoff, as defined above, from a construction activity.

**Structural Control (or Practice)** – A pollution prevention practice that requires the construction of a device, or the use of a device, to reduce or prevent pollution in stormwater 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 (MHWM) out 10.36 miles into the Gulf), and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, navigable or non-navigable, 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.

**Thawing Conditions** – For the purposes of this permit, thawing conditions are expected based on the historical likelihood of two (2) or more days with daytime temperatures greater than 32 degrees Fahrenheit (℉). This date can be determined by looking at historical weather data.

NOTE: The estimation of thawing conditions is for planning purposes only. During construction, the permittee will be required to conduct site inspections based upon actual conditions (i.e., if thawing conditions occur sooner than expected, the permittee will be required to conduct inspections at the regular frequency).

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

**Turbidity** – A condition of water quality characterized by the presence of suspended solids and/or organic material.

**Waters of the United States** – Waters of the United States or waters of the U.S. means the term as defined in 40 CFR § 122.2.

## Part II. Permit Applicability and Coverage

### Section A. Discharges Eligible for Authorization

1. Stormwater Associated with Construction Activity

   Discharges of stormwater runoff and certain non-stormwater discharges from small and large construction activities may be authorized under this general permit, except as described in Part II.C. of this permit.

2. Discharges of Stormwater Associated with Construction Support Activities

   Discharges of stormwater runoff and certain non-stormwater discharges from construction support activities as defined in Part I.B. of this general permit may be authorized, provided that the following conditions are met:

   (a) the construction support activities are located within one (1) mile from the boundary of the construction site where the construction activity authorized under the permit is being conducted that requires the support of these activities;

   (b) an SWP3 is developed and implemented for the permitted construction site according to the provisions in Part III.F. of this general permit, including appropriate controls and measures to reduce erosion and the discharge of pollutants in stormwater runoff according to the provisions in Part IV. of this general permit;

   (c) the activities are directly related to the construction site;

   (d) the activities are not a commercial operation, nor serve other unrelated construction projects; and

   (e) the activities do not continue to operate beyond the completion of the construction activity at the project it supports.

   Construction support activities that operate outside the terms provided in (a) through (e) above must obtain authorization under a separate Texas Pollutant Discharge Elimination System (TPDES) permit, which may include the TPDES Multi-Sector General Permit (MSGP), TXR050000 (related to stormwater discharges associated with industrial activity), an alternative general permit (if available), or an individual water quality permit.

3. Non-Stormwater Discharges

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

(a) discharges from emergency fire-fighting activities (emergency fire-fighting activities do not include washing of trucks, run-off water from training activities, test water from fire suppression systems, or 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 solvents, detergents, and soaps are not used, 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, but 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 National Pollutant Discharge Elimination System (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 wash out of concrete trucks at regulated construction sites must be performed in accordance with the requirements of Part VI 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) or removal of the appropriate TCEQ site notice, as applicable, for the regulated construction activity.

2. Prohibition of Non-Stormwater Discharges

   Except as otherwise provided in Part II.A. of this general permit, only discharges that are composed entirely of stormwater 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, have the reasonable potential to cause, or contribute to a violation of water quality standards or that would fail to protect and maintain existing designated uses of surface water in the state 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 if the executive director determines that any activity will cause, has the reasonable potential to cause, or contribute to a violation of water quality standards or is found to cause, has the reasonable potential to cause, or contribute to, the impairment of a designated use. The executive director may also require an application for an individual permit considering factors described in Part II.H.3. of this general permit.

4. Impaired Receiving Waters and Total Maximum Daily Load (TMDL) Requirements

   The permittee shall determine whether the authorized discharge is to an impaired water body on the latest EPA-approved CWA § 303(d) List or waters with an EPA-approved or established TMDL that are found on the latest EPA-approved *Texas Integrated Report of Surface Water Quality for CWA Sections 305(b) and 303(d)*, which lists the category 4 and 5 water bodies.

   New sources or new discharges of the pollutants 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 standard(s) and are listed as category 4 or 5 in the current version of the *Texas Integrated Report of Surface Water Quality for CWA Sections 305(b) and 303(d)*, and waterbodies listed on the CWA § 303(d) List. Pollutants of concern are those for which the water body is listed as impaired.

   Discharges of the pollutants of concern to impaired water bodies for which there is a TMDL are not eligible for coverage under this general permit unless they are consistent with the approved TMDL. Permittees must incorporate the conditions and requirements applicable to their discharges into their SWP3, in order to be eligible for coverage under this general permit. For consistency with the construction stormwater-related items in an approved TMDL, the SWP3 must be consistent with any applicable condition, goal, or requirement in the TMDL, TMDL Implementation Plan (I-Plan), or as otherwise directed by the executive director.

5. Discharges to the Edwards Aquifer Recharge or Contributing Zone

   Discharges cannot be authorized by this general permit where prohibited by 30 TAC Chapter 213 (relating to Edwards Aquifer). In addition, commencement of construction (see definition for commencement of construction in Part I.B. above)) at a site regulated under 30 TAC Chapter 213, may not begin until the appropriate Edwards Aquifer Protection Plan (EAPP) 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 (CZ), 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 (WPAP) under the Edwards Aquifer Rule are in addition to the requirements of this general permit. BMPs and maintenance schedules for structural stormwater controls, for example, may be required as a provision of the rule. All applicable requirements of the Edwards Aquifer Rule for reductions of suspended solids in stormwater runoff are in addition to the requirements in this general permit for this pollutant.

(c) For discharges located within ten (10) stream miles upstream of the Edwards Aquifer recharge zone, applicants shall also submit a copy of the NOI to the appropriate TCEQ regional office.

Counties: Comal, Bexar, Medina, Uvalde, and Kinney

**Contact:** TCEQ Water Program Manager
San Antonio Regional Office
14250 Judson Road
San Antonio, Texas 78233-4480
(210) 490-3096

Counties: Williamson, Travis, and Hays

**Contact:** TCEQ Water Program Manager
Austin Regional Office
12100 Park 35 Circle
Room 179, Building A
Austin, Texas 78753
(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.

8. Indian Country Lands

Stormwater 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 stormwater require authorization under federal NPDES regulations, authority for these discharges must be obtained from the U.S. Environmental Protection Agency (EPA).

9. Exempt Oil and Gas Activities

The CWA § 402(l)(2) provides that stormwater discharges from construction activities related to oil and gas exploration, production, processing, or treatment, or transmission facilities are exempt from regulation under this permit. The term “oil and gas exploration, production, processing, or treatment operations, or transmission facilities” is defined in 33 U.S.C. Annotated § 1362 (24).

The exemption in CWA § 402(l)(2) *includes* stormwater discharges from construction activities regardless of the amount of disturbed acreage, which are necessary to prepare a site for drilling and the movement and placement of drilling equipment, drilling waste management pits, in field treatment plants, and in field transportation infrastructure (e.g., crude oil pipelines, natural gas treatment plants, and both natural gas transmission pipeline compressor and crude oil pumping stations) necessary for the operation of most producing oil and gas fields. Construction activities are defined in 33 U.S. Code § 1362(24) and interpreted by EPA in the final rule. *See* June 12, 2006 Amendments to the NPDES Regulations for Storm Water Discharges Associated with Oil and Gas Exploration, Production, Processing, or Treatment Operations or Transmission Facilities (71 FR 33628, Part V. Terminology).

The exemption *does not include* stormwater discharges from the construction of administrative buildings, parking lots, and roads servicing an administrative building at an oil and gas site, as these are considered traditional construction activities.

As described in 40 CFR § 122.26(c)(1)(iii) [*regulations prior to 2006*], discharges from oil and gas construction activities are waived from CWA § 402(l)(2) permit coverage *unless* the construction activity (or construction support activity) has had a discharge of stormwater resulting in the discharge of a reportable quantity of oil or hazardous substances or the discharge contributes to a violation of water quality standards.

Exempt oil and gas activities which have lost their exemption as a result of one of the above discharges, must obtain permit coverage under this general permit, an alternative general permit, or a TPDES individual permit prior to the next discharge.

10. Stormwater Discharges from Agricultural Activities

Stormwater discharges from agricultural activities that are not point source discharges of stormwater 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 stormwater runoff associated with the construction of facilities that are subject to TPDES regulations, such as the construction of concentrated animal feeding operations, would be point sources regulated under this general permit.

11. Endangered Species Act

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

12. Storage of High-Level Radioactive Waste

Discharges of stormwater from construction activities associated with the construction of a facility that is licensed for the storage of high-level radioactive waste by the United States Nuclear Regulatory Commission under 10 CFR Part 72 are not authorized by this general permit. Texas Health and Safety Code (THSC) § 401.0525 prohibits TCEQ from issuing any TPDES authorizations for the construction or operation of these facilities.

Discharges of stormwater from the construction activities associated with the construction of a facility located at the site of currently or formerly operating nuclear power reactors and currently or formerly operating nuclear research and test reactors operated by a university are not prohibited under THSC § 401.0525 and continue to be regulated under this general permit.

13. Other

    Nothing in Part II. of the general permit is intended to negate any person's ability to assert *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 activity 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 the TPDES Construction General Permit (CGP) TXR150000 (effective on March 5, 2018, and amended on January 28, 2022), must submit an NOI to renew authorization or an NOT to terminate coverage under this general permit within 90 days of the effective date of this general permit. During this interim or grace period, as a requirement of this TPDES permit, the operator must continue to meet the conditions and requirements of the issued and amended 2018 TPDES CGP.

2. Small Construction Activities

   (a) New Construction – Discharges from sites where the commencement of construction activity 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 do not meet the conditions to qualify for termination of this permit as described in Part II.F. 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 issued and amended 2018 TPDES CGP.

## Section E. Obtaining Authorization to Discharge

1. Automatic Authorization for Small Construction Activities with Low Potential for Erosion

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

   Operators of small construction activities, which occur in certain counties and during periods of low potential for erosion that do not meet the conditions of the waiver described in Part II.G. of this general permit, may be automatically authorized under this general permit if all the following conditions are met prior to the commencement of construction.

   (a) The construction activity occurs in a county and during the corresponding date range(s) 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; the permittee signs a completed TCEQ Small Construction Site Notice for low potential for erosion (Form TCEQ-20964), including the certification statement;

(d) A signed and certified copy of the TCEQ Small Construction Site Notice for low potential for erosion 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 final stabilization has been achieved;

NOTE: Posted TCEQ site notices may have a redacted signature as long as there is an original signed and certified TCEQ site notice, with a viewable signature, located on-site and available for review by any applicable regulatory authority.

(e) A copy of the signed and certified TCEQ Small Construction Site Notice for low potential for erosion is provided to the operator of any MS4 receiving the discharge at least two (2) days prior to commencement of construction activities;

(f) Discharges of stormwater runoff or other non-stormwater discharges from any supporting concrete batch plant or asphalt batch plant is separately authorized under an individual TPDES permit, another TPDES general permit, or under an individual TCEQ permit where stormwater and non-stormwater is disposed of by evaporation or irrigation (discharges are adjacent to water in the state); and

(g) Any non-stormwater discharges are either authorized under a separate permit or authorization, are not considered by TCEQ to be a wastewater, or are captured and routed for disposal at a publicly operated treatment works or licensed waste disposal facility.

If all of the conditions in (a) – (h) above are met, then the operator(s) of small construction activities with low potential for erosion are not required to develop a SWP3.

If an operator is conducting small construction activities and any of the above conditions (a) – (h) are not met, the operator cannot declare coverage under the automatic authorization for small construction activities with low potential for erosion and must meet the requirements for automatic authorization (all other) small construction activities, described below in Part II.E.2.

For small construction activities that occur during a period with a low potential for erosion, where automatic authorization under this section is not available, an operator may apply for and obtain a waiver from permitting (Low Rainfall Erosivity Waiver – LREW), as described in Part II.G. of this general permit. Waivers from coverage under the LREW do not allow for any discharges of non-stormwater and the operator must ensure that discharges on non-stormwater are either authorized under a separate permit or authorization.

2. Automatic Authorization for Small Construction Activities

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

Operators of small construction activities, as defined in Part I.B. of this general permit or as defined but who do not meet in the conditions and requirements located in Part II.E.1 above, may be automatically authorized for small construction activities, 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 the SWP3 prior to commencing construction activities;

(b) all operators of regulated small construction activities must post a copy of a signed and certified TCEQ Small Construction Site Notice (Form TCEQ-20963), the notice must be posted 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, at least two (2) days prior to commencing construction activity , and maintain the notice in that location until completion of the construction activity (for linear construction activities, e.g. pipeline or highway, the TCEQ 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);

(c) operators must maintain a posted TCEQ Small Construction Site Notice on the approved TCEQ form at the construction site until final stabilization has been achieved; and

> NOTE: Posted TCEQ site notices may have a redacted signature as long as there is an original signed and certified TCEQ Small Construction Site Notice, with a viewable signature, located on-site and available for review by an applicable regulatory authority.

(d) provide a copy of the signed and certified TCEQ Small Construction Site Notice to the operator of any municipal separate storm sewer system (MS4) receiving the discharge at least two (2) days prior to commencement of construction activities.

(e) if signatory authority is delegated by an authorized representative, then a Delegation of Signatory form must be submitted as required by 30 TAC § 305.128 (relating to Signatories to Reports). Operators for small construction activities must submit this form via mail following the instructions on the approved TCEQ paper form. A new Delegation of Signatory form must be submitted if the delegation changes to another individual or position.

As described in Part I.B 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 where the applicant is the operator. The SWP3 must be developed and implemented prior to obtaining coverage and prior to commencing construction activities;

(b) primary operators of large construction activities must submit an NOI prior to commencing construction activity at a construction site. A completed NOI must be submitted to TCEQ electronically using the online ePermits system on TCEQ's website.

Operators with an electronic reporting waiver must submit a completed paper NOI to TCEQ at least seven (7) days prior to commencing construction activity to obtain provisional coverage 48-hours from the postmark date for delivery to the TCEQ. An authorization is no longer provisional when the executive director finds the NOI is administratively complete, and an authorization number is issued to the permittee for the construction site indicated on the NOI.

If an additional primary operator is added after the initial NOI is submitted, the additional primary operator must meet the same requirements for existing primary operator(s), as indicated above.

If the primary operator changes due to responsibility at the site being transferred from one primary operator to another after the initial NOI is submitted, the new primary operator must submit an electronic NOI, unless they request and obtain a waiver from electronic reporting, at least ten (10) days prior to assuming operational control of a construction site and commencing construction activity.

(c) all operators of large construction activities must post a TCEQ Large Construction Site Notice on the approved TCEQ form (Form TCEQ-20961) in accordance with Part III.D.2. of this permit. The TCEQ 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 activities, and must be maintained in that location until final stabilization has been achieved. For linear construction activities, e.g., pipeline or highway, the TCEQ 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;

(d) two days prior to commencing construction activities, all primary operators must:

i. provide a copy of the signed NOI to the operator of any MS4 receiving the discharge and to any secondary construction operator, and

ii. list in the SWP3 the names and addresses of all MS4 operators receiving a copy;

(e) if signatory authority is delegated by an authorized representative, then a Delegation of Signatories form must be submitted as required by 30 TAC § 305.128 (relating to Signatories to Reports). Primary operators must submit this form electronically using the State of Texas Environmental Electronic Reporting System (STEERS), TCEQ's online permitting system, or by paper if the permittee requested and obtained an electronic reporting waiver. A new Delegation of Signatories form must be submitted, if the delegation changes to another individual or position;

(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 a primary operator at the site has submitted an NOI, or prior to commencement of construction activities, a primary operator 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; and

(g) all secondary operators of large construction activities must post a copy of the signed and certified TCEQ Large Construction Site Notice for Secondary Operators on the approved TCEQ form (Form TCEQ-20962) and provide a copy of the signed and certified TCEQ site notice to the operator of any MS4 receiving the discharge at least two (2) days prior to the commencement construction activities.

NOTE: Posted TCEQ site notices may have a redacted signature as long as there is an original signed and certified TCEQ Large Construction Site Notice for Secondary Operators, with a viewable signature, located on-site and available for review by an applicable regulatory authority.

Applicants must submit an NOI using the online ePermits system (accessed using STEERS) available through the TCEQ website, or request and obtain a waiver from electronic reporting from the TCEQ. Waivers from electronic reporting are not transferrable and expire on the same date as the authorization to discharge.

4. Waivers for Small Construction Activities:

Operators of certain small construction activities may obtain a waiver from coverage under this general permit, if applicable. The requirements are outlined in Part II.G. below.

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 that electronically submit an NOI are authorized immediately following confirmation of receipt of the electronic form by the TCEQ, unless otherwise notified by the executive director.

Operators with an electronic reporting waiver are provisionally authorized 48-hours from the date that a completed paper NOI is postmarked for delivery to the TCEQ, unless otherwise notified by the executive director. An authorization is no longer provisional when the executive director finds the NOI is administratively complete and an authorization number is issued to the permittee for the construction site indicated on the NOI.

For construction 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 activities 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 site notices to obtain authorization under this general permit. The TCEQ reserves the right to take appropriate enforcement action for any unpermitted activities that may have occurred between the time construction commenced and authorization under this general permit was obtained.

(d) If operators that submitted NOIs have active authorizations for construction activities that are ongoing when this general permit expires on March 5, 2028, and a new general permit is issued, a 90-day interim (grace) period is granted to provide coverage that is administratively continued until operators with active authorizations can obtain coverage under the newly issued CGP. The 90-day grace period starts on the effective date of the newly issued CGP.

6. 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) the estimated construction project start date and end date;

(f) confirmation that the project or site will not be located on Indian Country lands;

(g) confirmation if the construction activity is associated with an oil and gas exploration, production, processing, or treatment, or transmission facility (see Part II.C.9.)

(h) confirmation that the construction activities are not associated with the construction of a facility that is licensed for the storage of high-level radioactive waste by the United States Nuclear Regulatory Commission under 10 CFR Part 72 (see Part II.C.12.);

(i) confirmation that a SWP3 has been developed in accordance with all conditions of this general permit, that it will be implemented prior to commencement of construction activities, and that it is compliant with any applicable local sediment and erosion control plans; for multiple operators who prepare a shared SWP3, the confirmation for an operator may be limited to its obligations under the SWP3 provided all obligations are confirmed by at least one operator;

(j) name of the receiving water(s);

(k) 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

(l) 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 or *Texas Integrated Report of Surface Water Quality for CWA Sections 305(b) and 303(d)* as not meeting applicable state water quality standards.

7. Notice of Change (NOC)

(a) If relevant information provided in the NOI changes, the operator that has submitted the NOI must submit an NOC to TCEQ at least fourteen (14) days before the change occurs. Where a 14-day advance notice is not possible, the operator must submit an NOC to TCEQ within fourteen (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 submitted to TCEQ in an NOC within fourteen (14) days after discovery.

(b) Information on an NOC may include, but is not limited to, the following:

i. a change in the description of the construction project;

ii. an increase in the number of acres disturbed (for increases of one (1) or more acres);

iii. or the name of the operator (where the name of the operator has changed).

(c) Electronic NOC.

Applicants must submit an NOC using the online ePermits system available through the TCEQ website, or request and obtain a waiver from electronic reporting from the TCEQ. All waivers from electronic reporting are not transferrable. Electronic reporting waivers expire on the same date as the authorization to discharge, except for temporary waivers that expire one (1) year from issuance. A copy of the NOC form or letter must also be placed in the SWP3 and provided to the operator of any MS4 receiving the discharge. Operators are authorized immediately following confirmation of receipt of the electronic form by the TCEQ, unless otherwise notified by the executive director.

(d) Paper NOC.

Applicants who request and obtain an electronic reporting waiver shall submit the NOC on a paper form provided by the executive director, or by letter if an NOC form is not available.

(e) A copy of the NOC form or letter must also be placed in the SWP3 and provided to the operator of any MS4 receiving the discharge. A list that includes the names and addresses of all MS4 operators receiving a copy of the NOC (or NOC letter) must be included in the SWP3. Information that may not be included on an NOC includes but is not limited to the following:

i. transfer of operational control from one operator to another, including a transfer of the ownership of a company. A transfer of ownership of a company includes changes to the structure of a company, such as changing from a partnership to a corporation or changing corporation types, so that the filing or charter number that is on record with the Texas Secretary of State (SOS) must be changed.

ii. coverage under this general permit is not transferable from one operator to another. Instead, the new operator will need to submit an NOI or LREW, as applicable, and the previous operator will need to submit an NOT.

iii. a decrease in the number of acres disturbed. This information must be included in the SWP3 and retained on site.

8. Signatory Requirement for NOI Forms, NOT Forms, NOC Forms, and Construction Site Notices

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

## Section F. Terminating Coverage

1. Notice of Termination (NOT) Required

   Each operator that has submitted an NOI for authorization of large construction activities under this general permit must apply to terminate that authorization following the conditions described in this section of the general permit.

   Authorization of large construction must be terminated by submitting an NOT electronically via the online ePermits system available through the TCEQ website, or on a paper NOT form to TCEQ supplied by the executive director with an approved waiver from electronic reporting. Authorization to discharge under this general permit terminates at midnight on the day a paper NOT is postmarked for delivery to the TCEQ or immediately following confirmation of the receipt of the NOT submitted electronically by the TCEQ.

   Applicants must submit an NOT using the online ePermits system available through the TCEQ website, or request and obtain a waiver from electronic reporting from the TCEQ. Waivers from electronic reporting are not transferrable and expire on the same date as the authorization to discharge, except for temporary waivers that expire one (1) year from issuance.

   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 operator;

   (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.

   Compliance with the conditions and requirements of this permit is required until the NOT is submitted and approved by TCEQ.

2. Minimum Contents of the NOT

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

   (a) if authorization for construction activity was granted following submission of an NOI, the permittee's site-specific TPDES authorization number for a specific construction site;

   (b) an indication of whether final stabilization has been achieved at the site and a NOT has been submitted 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 location (latitude/longitude) of the construction project or site; and

   (e) a signed certification that either all stormwater discharges requiring authorization under this general permit will no longer occur, or that the applicant 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

   (a) Each operator that has obtained automatic authorization for small construction or is a secondary operator for large construction must perform the following when terminating coverage under the permit:

      i. remove the TCEQ site notice;

      ii. complete the applicable portion of the TCEQ site notice related to removal of the TCEQ site notice; and

      iii. submit a copy of the completed TCEQ 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).

   (b) The activities described in Part II.F.3.(a) above must be completed by the operator within 30 days of meeting any of the following conditions:

      i. final stabilization has been achieved on all portions of the site that are the responsibility of the operator;

      ii. a transfer of day-to-day operational control over activities necessary to ensure compliance with the SWP3 and other permit conditions has occurred (See Section II.F.4. below); or

      iii. the operator has obtained alternative authorization under an individual or general TPDES permit.

   For Small Construction Sites and Secondary Operators at Large Construction Sites, authorization to discharge under this general permit terminates immediately upon removal of the applicable TCEQ construction site notice. Compliance with the conditions and requirements of this permit is required until the TCEQ construction site notice is removed. The construction site notice cannot be removed until final stabilization has been achieved.

4. Transfer of Day-to-Day Operational Control

   (a) When the primary operator of a large construction activity changes or operational control over activities necessary to ensure compliance with the SWP3 and other permit conditions is transferred to another primary operator, the original operator must do the following:

      i. submit an 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 (c) below; and

      ii. submit a copy of the NOT from the primary operator terminating its coverage under the permit and its operational control of the construction site and submit a copy of the NOI from the new primary operator to the operator of any MS4 receiving the discharge in accordance with Part II.F.1. above.

   (b) For transfer of operational control, operators of small construction activities and secondary operators of large construction activities who are not required to submit an NOI must do the following:

      i. the existing operator must remove the original TCEQ construction site notice, and the new operator must post the required TCEQ construction site notice prior to the transfer of operational control, in accordance with the conditions in Part II.F.4.(c) i or ii below; and

ii. a copy of the TCEQ construction site notice, which must be completed and provided to the operator of any MS4 receiving the discharge, in accordance with Part II.F.3. above.

(c) Each operator is responsible for determining its role as an operator as defined in Part I.B. and obtaining authorization under the permit, as described above in Part II.E. 1. - 3. Where authorization has been obtained by submitting an NOI for coverage under this general permit, permit coverage is not transferable from one operator to another. A transfer of operational control can include 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 (SOS). A transfer of operational control can also occur when one of the following criteria is met, as applicable:

i. another operator has assumed control over all areas of the site that do not meet the definition for final stabilization;

ii. 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 original permitted operator has attempted to notify the new operator in writing of the requirement to obtain permit coverage. Records of this notification (or attempt at notification) shall be retained by the operator transferring operational control to another 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; or

iii. a homebuilder has purchased one (1) 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 of this permit. Under these circumstances, the homebuilder is only responsible for compliance with the general permit requirements as they apply to the lot(s) it has operational control over in a larger common plan of development, 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 stormwater 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, when the calculated rainfall erosivity (R) factor for the entire period of the construction project is less than five (5).

The operator must submit a Low Rainfall Erosivity Waiver (LREW) certification form to the TCEQ electronically via the online ePermits system available through the TCEQ website. The LREW form is a certification by the operator that the small construction activity will commence and be completed within a period when the value of the calculated R factor is less than five (5).

Applicants who request and obtain an electronic reporting waiver shall submit the LREW on a paper form provided by the executive director at least seven (7) days prior to commencing construction activity to obtain provisional coverage 48-hours from the postmark date for delivery to the TCEQ. An authorization is no longer provisional when the executive director finds the LREW is administratively complete, and an authorization number is issued to the permittee for the construction site indicated on the LREW. Waivers from electronic reporting are not transferrable and expire on the same date as the authorization to discharge, except for temporary waivers that expire one (1) year from issuance.

This LREW from coverage does not apply to any non-stormwater discharges, including what is allowed under this permit. The operator must ensure that all non-stormwater discharges are either authorized under a separate permit or authorization or are captured and routed to an authorized treatment facility for disposal.

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 five (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: https://lew.epa.gov/, or using another available resource.

A copy of the LREW certification form is not required to be posted at the small construction site.

3. Effective Date of an LREW

Unless otherwise notified by the executive director, operators of small construction activities seeking coverage under an LREW are provisionally waived from the otherwise applicable requirements of this general permit 48-hours from the date that a completed paper LREW certification form is postmarked for delivery to TCEQ, or immediately upon receiving confirmation of approval of an electronic submittal, made via the online ePermits system available through the TCEQ website.

Applicants seeking coverage under an LREW must submit an application for an LREW using the online ePermits system available through the TCEQ website, or request and obtain a waiver from electronic reporting from the TCEQ. Waivers from electronic reporting are not transferrable and expire on the same date as the authorization to discharge.

4. Activities Extending Beyond the LREW 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 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 LREW 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 for automatic authorization for small construction activities in Part II.E.2. of this permit, prior to the end of the approved LREW 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 must be submitted at least 330 days prior to commencement of construction activities to ensure timely authorization. Existing coverage under this general permit should not be terminated until an individual permit is issued and in effect.

2. General Permit Alternative

   Any discharges 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), as applicable.

3. Individual Permit Required

   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 TMDL or TMDL I-Plan on the receiving water;

   (b) the activity being determined to cause, has a reasonable potential to cause, or contribute to 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.

      A discharger with a TCEQ compliance history rating of “unsatisfactory” is ineligible for coverage under this general permit. In that case, 30 TAC § 60.3 requires the executive director to deny or suspend an authorization to discharge under a general permit. However, per TWC § 26.040(h), a discharger is entitled to a hearing before the commission prior to having an authorization denied or suspended for having an “unsatisfactory” compliance history.

   Denial of authorization to discharge under this general permit or suspension of a permittee’s authorization under this general permit for reasons other than compliance history shall be done according to commission rules in 30 TAC Chapter 205 (relating to General Permits for Waste Discharges).

## Section I. Permit Expiration

1. This general permit is effective 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. All authorizations that are active at the time the permit term expires will be administratively continued as indicated in Part II.I.2. below and in Part II.D.1.(b) and D.2.(b) of this 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. Stormwater Pollution Prevention Plans (SWP3)

All regulated construction site operators shall prepare an SWP3, prior to submittal of an NOI, to address discharges authorized under Parts II.E.2. and II.E.3. of this general permit that will reach waters of the U.S. This includes discharges to MS4s and privately owned separate storm sewer systems that drain into surface water in the state or waters of the U.S.

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 (1) SWP3 for a site, operators 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.

An SWP3 must describe the implementation of practices that will be used to minimize to the extent practicable the discharge of pollutants in stormwater associated with construction activity and non-stormwater discharges described in Part II.A.3., in compliance with the terms and conditions of this permit.

An SWP3 must also identify any potential sources of pollution that have been determined to cause, have a reasonable potential to cause, or contribute to a violation of water quality standards or have been found to cause or contribute to the loss of a designated use of surface water in the state from discharges of stormwater from construction activities and construction support activities. Where potential sources of these pollutants are present at a construction site, the SWP3 must also contain a description of the management practices that will be used to prevent these pollutants from being discharged into surface water in the state or waters of the U.S.

> NOTE: Construction support activities can also include vehicle repair areas, fueling areas, etc. that are present at a construction site solely for the support construction activities and are only used by operators at the construction site.

The SWP3 is intended to serve as a road map for how the construction operator will comply with the effluent limits and other conditions of this permit. Additional portions of the effluent limits are established in Part IV. of the permit.

## 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 of small and large construction activities must independently obtain authorization under this permit but may work together with other regulated operators at the construction site to prepare and implement a single, comprehensive SWP3, which can be shared by some or all operators, for the construction activities that each of the operators are performing at the entire construction site.

1. The SWP3 must include the following:
   (a) for small construction activities – the name of each operator that participates in the shared SWP3;
   (b) for large construction activities – the name of each operator that participates in the shared SWP3, the general permit authorization numbers of each operator (or the date that the NOI was submitted to TCEQ by each operator that has not received an authorization number for coverage under this permit); and
   (c) for large and small construction activities – the signature of each operator participating in the shared 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.
3. The SWP3 may provide that one operator is responsible for preparation of a SWP3 in compliance with the CGP, and another operator is responsible for implementation of the SWP3 at the project site.

## 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 shall:
   (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 that all other operators affected by modifications in project specifications are notified in a timely manner so that those operators may modify their BMP s as necessary to remain compliant with the conditions of this general permit; and

(d) ensure that the SWP3 for portions of the project where each operator has control indicates the name and site-specific TPDES authorization number(s) for operators with the day-to-day operational control over those activities necessary to ensure compliance with the SWP3 and other permit conditions. If a primary operator has not been authorized or has abandoned the site, the secondary operator is considered to be the responsible party and must obtain authorization as a primary operator under the permit, until the authority for day-to-day operational control is transferred to another primary operator. The new primary operator must update or develop a new SWP3 that will reflect the transfer of operational control and include any additional updates to the SWP3 to meet requirements of the permit.

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 BMPs described in the SWP3;

(c) indicates areas of the project where they have operational control over day-to-day activities; and

(d) the name and site-specific TPDES authorization number of the parties with control over project specifications, including the ability to make modifications in specifications for areas where they have operational control over day-to-day activities.

## 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 stormwater management plans; local government officials; and the operator of a municipal separate storm sewer receiving discharges from the site. If the SWP3 is retained off-site, then it shall be made available as soon as reasonably possible. In most instances, it is reasonable that the SWP3 shall be made available within 24 hours of the request.

   NOTE: The SWP3 may be prepared and kept electronically, rather than in paper form, if the records are: (a) in a format that can be read in a similar manner as a paper record; (b) legally valid with no less evidentiary value than their paper equivalent; and (c) immediately accessible to the inspector during an inspection to the same extent as a paper copy stored at the site would be, if the records were stored in paper form.

2. Operators with authorization for construction activity under this general permit must post a TCEQ site notice at the construction site at a place readily available for viewing by the general public, and local, state, and federal authorities.

(a) Primary and secondary operators of large construction activities must each post a TCEQ construction site notice, respective to their role as an operator at the construction site, as required above and according to requirements in Part II.E.3. of this general permit.

(b) Primary and secondary operators of small construction activities must post the TCEQ site notice as required in Part III.D.2.(a) above and for the specific type of small construction described in Part II.E.1. and 2. of the permit.

(c) If the construction project is a linear construction project, such as a pipeline or highway, the notices must be placed in a publicly accessible location near where construction is actively underway. TCEQ construction site notices for small and large construction activities at these linear construction sites may be relocated, as necessary, along the length of the project, but must still be readily available for viewing by the general public; local, state, and federal authorities; and contain the following information:

i. the site-specific TPDES authorization number for the project if assigned;

ii. the operator name, contact name, and contact phone number;

iii. a brief description of the project; and

iv. 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, including the site map, within seven (7) days of when any of 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 construction site personnel authorized by the permittee, 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 be developed and implemented by primary operators of small and large construction activities and include, at a minimum, the information described in this section and must comply with the construction and development effluent guidelines in Part IV. of the general permit.

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, including estimated start dates and duration of activities;

(d) the total number of acres of the entire property and the total number of acres where construction activities will occur, including areas where construction support activities (defined in Part I.B. of this general permit) occur;

(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. property boundary(ies);

ii. drainage patterns and approximate slopes anticipated before and after major grading activities;

iii. areas where soil disturbance will occur (note any phasing), including any demolition activities;

iv. locations of all controls and buffers, either planned or in place;

v. locations where temporary or permanent stabilization practices are expected to be used;

vi. locations of construction support activities, including those located off-site;

vii. surface waters (including wetlands) either at, adjacent, or in close proximity to the site, and also indicate whether those waters are impaired;

NOTE: Surface waters adjacent to or in close proximity to the site means any receiving waters within the site and all receiving waters within one mile downstream of the site's discharge point(s).

viii. locations where stormwater discharges from the site directly to a surface water body or a municipal separate storm sewer system;

ix. vehicle wash areas; and

x. designated points on the site where vehicles will exit onto paved roads (for instance, this applies to construction transition from unstable dirt areas to exterior paved roads).

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 (an electronic copy of this TPDES general permit or a current link to this TPDES general permit on the TCEQ webpage is acceptable);

(k) the NOI and the acknowledgement of provisional and non-provisional authorization for primary operators of large construction sites, and the TCEQ site notice for small construction sites and for secondary operators of large construction sites;

(l) if signatory authority is delegated by an authorized representative, then a copy of the formal notification to TCEQ, as required by 30 TAC 305.128 relating to Signatories to Reports must be filed in the SWP3 and made available for review upon request by TCEQ or local MS4 Operator. For primary operators of large construction activities, the formal notification to TCEQ must be submitted either electronically through

STEERS, TCEQ's electronic reporting system, or, if qualifying for an electronic reporting waiver, by paper on a Delegation of Signatories form. For operators or small construction activities, the formal notification to TCEQ must be submitted by paper on a Delegation of Signatories form.

(m) stormwater and allowable non-stormwater discharge locations, including storm drain inlets on site and in the immediate vicinity of the construction site where construction support activities will occur; and

(n) locations of all pollutant-generating activities at the construction site and where construction support activities will occur, such as the following: Paving operations; concrete, paint and stucco washout and water disposal; solid waste storage and disposal; and dewatering operations.

2. A description of the BMPs that will be used to minimize pollution in runoff.

The description must identify the general timing or sequence for installation and 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 good engineering practices, and the manufacturer's or designer's specifications.

iii. Controls must be developed to minimize the offsite transport of litter, construction debris, construction materials, and other pollutants required of Part IV.D.

(b) Erosion Control and Stabilization Practices

The SWP3 must include a description of temporary and permanent erosion control and stabilization practices for the construction site, where small or large construction activity will occur. The erosion control and stabilization practices selected by the permittee must be compliant with the requirements for sediment and erosion control, located in Part IV. of this permit. The description of the SWP3 must also include a schedule of when the practices will be implemented. Site plans must ensure that existing vegetation at the construction site 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 immediately in portions of the site where construction activities have temporarily ceased and will not resume for a period exceeding fourteen (14) calendar days. Stabilization

measures that provide a protective cover must be initiated immediately in portions of the site where construction activities have permanently ceased. The term "immediately" is used to define the deadline for initiating stabilization measures. In the context of this requirement, "immediately" means as soon as practicable, but no later than the end of the next work day, following the day when the earth-disturbing activities have temporarily or permanently ceased. Except as provided in (A) through (D) below, these measures must be completed as soon as practicable, but no more than fourteen (14) calendar days after the initiation of soil stabilization measures:

(A) where the immediate initiation of vegetative stabilization measures after construction activity has temporarily or permanently ceased due to frozen conditions, non-vegetative controls must be implemented until thawing conditions (as defined in Part I.B. of this general permit) are present, and vegetative stabilization measures can be initiated as soon as practicable.

(B) in arid areas, semi-arid areas, or drought-stricken areas, as they are defined in Part I.B. of this general permit, where the immediate initiation of vegetative stabilization measures after construction activity has temporarily or permanently ceased or is precluded by arid conditions, other types of erosion control and stabilization measures must be initiated at the site as soon as practicable. Where vegetative controls are infeasible due to arid conditions, and within fourteen (14) calendar days of a temporary or permanent cessation of construction activity in any portion of the site, the operator shall immediately install non-vegetative erosion controls in areas of the construction site where construction activity is complete or has ceased. If non-vegetative controls are infeasible, the operator shall install temporary sediment controls as required in Part III.F.2.(b)iii.(C) below.

(C) in areas where non-vegetative controls 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 frequencies established in Part III.F.8.(c) for unstabilized sites.

(D) the requirement for permittees to initiate stabilization is triggered as soon as it is known with reasonable certainty that construction activity at the site or in certain areas of the site will be stopped for 14 or more additional calendar days. If the initiation or completion of vegetative stabilization is prevented by circumstances beyond the control of the permittee, the permittee must employ and implement alternative stabilization measures immediately. When conditions at the site changes that would allow for vegetative stabilization, then the permittee must initiate or complete vegetative stabilization as soon as practicable.

iv. Final stabilization must be achieved prior to termination of permit coverage.

v. TCEQ does not expect that temporary or permanent stabilization measures to be applied to areas that are intended to be left un-vegetated or un-stabilized following construction (e.g., dirt access roads, utility pole pads, areas being used for storage of vehicles, equipment, or materials).

(c) Sediment Control Practices

The SWP3 must include a description of any sediment control practices used to remove eroded soils from stormwater runoff, including the general timing or sequence for implementation of controls. Controls selected by the permittee must be compliant with the requirements in Part IV. of this permit.

i. Sites With Drainage Areas of Ten (10) or More Acres

(A) Sedimentation Basin(s) or Impoundments

(1) A sedimentation basin or similar impoundment 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 or impoundment 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 or similar impoundment. Capacity calculations shall be included in the SWP3. Sedimentation basins must be designed for and appropriate for controlling runoff at the site and existing detention or retention ponds at the site may not be appropriate.

(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 or impoundment is not feasible, then the permittee shall provide equivalent control measures until final stabilization of the site. In determining whether installing a sediment basin or impoundment 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 or impoundments are not feasible, and shall utilize equivalent control measures, which may include a series of smaller sediment basins or impoundments.

(4) Unless infeasible, when discharging from sedimentation basins and impoundments, the permittee shall utilize outlet structures that withdraw water from the surface.

(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 (10) Acres:

(A) Sediment traps and sediment basins may be used to control solids in stormwater 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.

(C) If sedimentation basins or impoundments are used, the permittee shall comply with the requirements in Part IV.F. of this general permit.

3. Description of Permanent Stormwater Controls

A description of any stormwater control measures that will be installed during the construction process to control pollutants in stormwater discharges that may occur after construction operations have been completed must be included in the SWP3. Permittees are responsible for the installation and maintenance of stormwater management measures, as follows:

(a) permittees authorized under the permit for small construction activities are responsible for the installation and maintenance of stormwater control measures prior to final stabilization of the site; or

(b) permittees authorized under the permit for large construction activities are responsible for the installation and maintenance of stormwater control measures prior to final stabilization of the site and 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 dust. The SWP3 shall include a description of controls utilized to control the generation of pollutants that could be discharged in stormwater from the site.

(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 in discharges of stormwater from all areas of the construction site where construction activity, including construction support activities, will be located, 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 in accordance with Part IV. of this permit to minimize the offsite transport of suspended sediments and other pollutants if it is necessary to pump or channel standing water from the site.

(f) Permittees shall ensure that all other required controls and BMPs comply with all of the requirements of Part IV. of this general permit.

(g) For demolition of any structure with at least 10,000 square feet of floor space that was built or renovated before January 1, 1980, and the receiving waterbody is impaired for polychlorinated biphenyls (PCBs):

i. implement controls to minimize the exposure of PCB-containing building materials, including paint, caulk, and pre-1980 fluorescent lighting fixtures to precipitation and to stormwater; and

ii. ensure that disposal of such materials is performed in compliance with applicable state, federal, and local laws.

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 stormwater 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 stormwater 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 WPAP 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, as soon as the permittee determines that BMPs are not operating effectively, then the permittee shall perform maintenance as necessary to maintain the continued effectiveness of stormwater 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 shall 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 shall work with the owner or operator of the property to remove the sediment.

7. Observation and Evaluation of Dewatering Controls Pursuant to Part IV.C. of this General Permit

   (a) Personnel provided by the permittee must observe and evaluate dewatering controls at a minimum of once per day on the days where dewatering discharges from the construction site occur. Personnel conducting these evaluations must be knowledgeable of this general permit, the construction activities at the site, and the SWP3 for the site. Personnel conducting these evaluations are not required to have signatory authority for reports under 30 TAC § 305.128 (relating to Signatories to Reports).

(b) Requirements for Observations and Evaluations

i. A report summarizing the scope of any observation and evaluation must be completed within 24-hours following the evaluation. The report must also include, at a minimum, the following:

(A) date of the observations and evaluation;

(B) name(s) and title(s) of personnel making the observations and evaluation;

(C) approximate times that the dewatering discharge began and ended on the day of evaluation, or if the dewatering discharge is a continuous discharge that continues after normal business hours, indicate that the discharge is continuous (this information can be reported by personnel initiating the dewatering discharge);

(D) estimates of the rate (in gallons per day) of discharge on the day of evaluation;

(E) whether or not any indications of pollutant discharge were observed at the point of discharge (e.g., foam, oil sheen, noticeable odor, floating solids, suspended sediments, or other obvious indicators of stormwater pollution); and

(F) major observations, including: the locations of where erosion and discharges of sediment or other pollutants from the site have occurred; 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.

ii. Actions taken as a result of evaluations, including the date(s) of actions taken, 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 retained as part of the SWP3 and signed by the person and in the manner required by 30 TAC § 305.128 (relating to Signatories to Reports).

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

8. Inspections of All Controls

(a) Personnel provided by the permittee must inspect disturbed areas (cleared, graded, or excavated) of the construction site that do not meet the requirements of final stabilization in this general permit, all locations where stabilization measures have been implemented, areas of construction support activity covered under this permit, stormwater controls (including pollution prevention controls) for evidence of, or the potential for, the discharge of pollutants, areas where stormwater typically flows within the construction site, and points of discharge from the construction site.

i. Personnel conducting these inspections must be knowledgeable of this general permit, the construction activities at the site, and the SWP3 for the site.

ii. Personnel conducting these inspections are not required to have signatory authority for inspection reports under 30 TAC § 305.128 (relating to Signatories to Reports).

(b) Requirements for Inspections

i. Inspect all stormwater controls (including sediment and erosion control measures identified in the SWP3) to ensure that they are installed properly, appear to be operational, and minimizing pollutants in discharges, as intended.

ii. Identify locations on the construction site where new or modified stormwater controls are necessary.

iii. Check for signs of visible erosion and sedimentation that can be attributed to the points of discharge where discharges leave the construction site or discharge into any surface water in the state flowing within or adjacent to the construction site.

iv. Identify any incidents of noncompliance observed during the inspection.

v. Inspect locations where vehicles enter or exit the site for evidence of off-site sediment tracking.

vi. If an inspection is performed when discharges from the construction site are occurring: identify all discharge points at the site, and observe and document the visual quality of the discharge (i.e., color, odor, floating, settled, or suspended solids, foam, oil sheen, and other such indicators of pollutants in stormwater).

vii. Complete any necessary maintenance needed, based on the results of the inspection and in accordance with the requirements listed in Part III.F.6. above.

(c) Inspection frequencies:

i. Inspections of construction sites must be conducted at least once every fourteen (14) calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater, unless as otherwise provided below in Part III.F.8.(c)ii. – v. below.

(A) If a storm event produces 0.5 inches or more of rain within a 24-hour period (including when there are multiple, smaller storms that alone produce less than 0.5 inches but together produce 0.5 inches or more in 24 hours), you are required to conduct one inspection within 24 hours of when 0.5 inches of rain or more has fallen. When the 24-hour inspection time frame occurs entirely outside of normal working hours, you must conduct an inspection by no later than the end of the next business day.

(B) If a storm event produces 0.5 inches or more of rain within a 24-hour period on the first day of a storm and continues to produce 0.5 inches or more of rain on subsequent days, you must conduct an inspection within 24 hours of the first day of the storm and within 24 hours after the last day of the storm that produces 0.5 inches or more of rain (i.e., only two (2) inspections would be required for such a storm event). When the 24-hour inspection time frame occurs entirely outside of normal working hours, you must conduct an inspection by no later than the end of the next business day.

ii. Inspection frequencies must be conducted at least once every month in areas of the construction site that meet final stabilization or have been temporarily stabilized.

iii. Inspection frequencies for construction sites, where runoff is unlikely due to the occurrence of frozen conditions at the site, must be conducted at least once every month until thawing conditions begin to occur (see definitions for thawing conditions in Part I.B.). The SWP3 must also contain a record of the approximate beginning and ending dates of when frozen conditions occurred at the site, which resulted in inspections being conducted monthly, while those

conditions persisted, instead of at the interval of once every fourteen (14) calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater.

iv. In arid, semi-arid, or drought-stricken 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. The SWP3 must also contain a record of the total rainfall measured, as well as the approximate beginning and ending dates of when drought conditions occurred at the site, which resulted in inspections being conducted monthly, while those conditions persisted, instead of at the interval of once every fourteen (14) calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater.

v. As an alternative to the inspection schedule in Part III.F.8.(c)i. above, 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 regardless of whether or not there has been a rainfall event since the previous inspection.

vi. The inspection procedures described in Part III.F.8.(c)i. – v above can be performed at the frequencies and under the applicable conditions indicated for each schedule option, provided that the SWP3 reflects the current schedule and that any changes to the schedule are made in accordance with the following provisions: the inspection frequency schedule can only be changed a maximum of once per calendar month and implemented within the first five (5) business days of a calendar month; and the reason for the schedule change documented in the SWP3 (e.g., end of "dry" season and beginning of "wet" season).

(d) 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.

i. Inspection of linear construction sites could require the use of vehicles that could compromise areas of temporary or permanent stabilization, cause additional disturbance of soils, and result in the increase the potential for erosion. In these circumstances, controls must be inspected at least once every fourteen (14) calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater, but representative inspections may be performed.

ii. 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 inspection schedule described in Part III.F.8.(c)i. above, 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 regardless of whether or not there has been a rainfall event since the previous inspection.

iii. the SWP3 for a linear construction site must reflect the current inspection schedule. Any changes to the inspection schedule must be made in accordance with the following provisions:

(A) the schedule may be changed a maximum of one time each month;

(B) the schedule change must be implemented at the beginning of a calendar month, and

(C) the reason for the schedule change must be documented in the SWP3 (e.g., end of "dry" season and beginning of "wet" season).

(e) Adverse Conditions.

Requirements for inspections may be temporarily suspended for adverse conditions. Adverse conditions are conditions that are either dangerous to personnel (e.g., high wind, excessive lightning) or conditions that prohibit access to the site (e.g., flooding, freezing conditions). Adverse conditions that result in the temporary suspension of a permit requirement to inspect must be documented and included as part of the SWP3. Documentation must include:

i. the date and time of the adverse condition,

ii. names of personnel that witnessed the adverse condition, and

iii. a narrative for the nature of the adverse condition.

(f) In the event of flooding or other adverse conditions which prohibit access to the inspection sites, inspections must be conducted as soon as access is practicable. Inspection Reports.

i. A report summarizing the scope of any inspection must be completed within 24-hours following the inspection. The report must also include the date(s) of the inspection and major observations relating to the implementation of the SWP3. Major observations in the report must include: the locations of where erosion and discharges of sediment or other pollutants from the site have occurred; 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.

ii. Actions taken as a result of inspections, including the date(s) of actions taken, 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 retained as part of the SWP3 and signed by the person and in the manner required by 30 TAC § 305.128 (relating to Signatories to Reports).

iii. 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.

(g) 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. If necessary, modify your site map to reflect changes to your stormwater controls that are no longer accurately reflected on the current site map.

9. The SWP3 must identify and ensure the implementation of appropriate pollution prevention measures for all eligible non-stormwater components of the discharge, as listed in Part II.A.3. of this permit.

10. The SWP3 must include the information required in Part III.B. of this general permit.

11. The SWP3 must include pollution prevention procedures that comply with Part IV.D. of this general permit.

## Part IV. Erosion and Sediment Control Requirements Applicable to All Sites

Except as provided in 40 CFR §§ 125.30-125.32, any discharge regulated under this general permit, with the exception of sites that obtained waivers based on low rainfall erosivity, must achieve, at a minimum, the following effluent limitations representing the degree of effluent reduction attainable by application of the best practicable control technology currently available (BPT). The BPT are also required by and must satisfy the Effluent Limitations Guideline (ELG) permitting requirement for application of 40 CFR § 450.24 New Source Performance Standards (NSPS), 40 CFR § 450.22 Best Available Technology Economically Achievable (BAT), and 40 CFR § 450.23 Best Conventional Pollutant Control Technology (BCT).

### Section A. Erosion and Sediment Controls

Design, install, and maintain effective erosion controls and sediment controls to minimize the discharge of pollutants. At a minimum, such controls must be designed, installed, and maintained to:

1. control stormwater volume and velocity within the site to minimize soil erosion in order to minimize pollutant discharges;
2. control stormwater discharges, including both peak flowrates and total stormwater volume, to minimize channel and streambank erosion and scour in the immediate vicinity of discharge point(s);
3. minimize the amount of soil exposed during construction activity;
4. minimize the disturbance of steep slopes;
5. minimize sediment discharges from the site. The design, installation, and maintenance of erosion and sediment controls must address factors such as the amount, frequency, intensity and duration of precipitation, the nature of resulting stormwater runoff, and soil characteristics, including the range of soil particle sizes expected to be present on the site;
6. provide and maintain appropriate natural buffers around surface water in the state. Direct stormwater to vegetated areas and maximize stormwater infiltration to reduce pollutant discharges, unless infeasible. If providing buffers is infeasible, the permittee shall document the reason that natural buffers are infeasible and shall implement additional erosion and sediment controls to reduce sediment load;
7. preserve native topsoil at the site, unless the intended function of a specific area of the site dictates that the topsoil be disturbed or removed, or it is infeasible; and
8. minimize soil compaction. In areas of the construction site where final vegetative stabilization will occur or where infiltration practices will be installed, either:
   (a) restrict vehicle and equipment use to avoid soil compaction; or
   (b) prior to seeding or planting areas of exposed soil that have been compacted, use techniques that condition the soils to support vegetative growth, if necessary and feasible.

   Minimizing soil compaction is not required where the intended function of a specific area of the site dictates that it be compacted.
9. TCEQ does not consider stormwater control features (e.g., stormwater conveyance channels, storm drain inlets, sediment basins) to constitute “surface water” for the purposes of triggering the buffer requirement in Part IV.A.(6) above.

## Section B. Soil Stabilization

Stabilization of disturbed areas must, at a minimum, be initiated immediately whenever any clearing, grading, excavating, or other earth disturbing activities have permanently ceased on any portion of the site, or temporarily ceased on any portion of the site and will not resume for a period exceeding fourteen (14) calendar days. In the context of this requirement, "immediately" means as soon as practicable, but no later than the end of the next workday, following the day when the earth-disturbing activities have temporarily or permanently ceased. Temporary stabilization must be completed no more than fourteen (14) calendar days after initiation of soil stabilization measures, and final stabilization must be achieved prior to termination of permit coverage. In arid, semi-arid, and drought-stricken areas where initiating vegetative stabilization measures immediately is infeasible, alternative non-vegetative stabilization measures must be employed as soon as practicable. Refer to Part III.F.2.(b) for complete erosion control and stabilization practice requirements. In limited circumstances, stabilization may not be required if the intended function of a specific area of the site necessitates that it remain disturbed.

## Section C. Dewatering

Discharges from dewatering activities, including discharges from dewatering of trenches and excavations, are prohibited, unless managed by appropriate controls to address sediment and prevent erosion. Operators must observe and evaluate the dewatering controls once per day while the dewatering discharge occurs as described in Part III.F.7. of this general permit.

## Section D. Pollution Prevention Measures

Design, install, implement, and maintain effective pollution prevention measures to minimize the discharge of pollutants. At a minimum, such measures must be designed, installed, implemented, and maintained to:

1. minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. Wash waters must be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge;
2. minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste, and other materials present on the site to precipitation and to stormwater;
3. minimize the exposure of waste materials by closing waste container lids at the end of the workday and during storm events. For waste containers that do not have lids, where the container itself is not sufficiently secure enough to prevent the discharge of pollutants absent a cover and could leak, the permittee must provide either a cover (e.g., a tarp, plastic sheeting, temporary roof) to minimize exposure of wastes to precipitation, stormwater, and wind, or a similarly effective means designed to minimize the discharge of pollutants (e.g., secondary containment). Minimization of exposure is not required in cases where the exposure to precipitation and to stormwater will not result in a discharge of pollutants, or where exposure of a specific material or product poses little risk of stormwater contamination (such as final products and materials intended for outdoor use);
4. minimize exposure of wastes by implementing good housekeeping measures. Wastes must be cleaned up and disposed of in designated waste containers on days of operation at the site. Wastes must be cleaned up immediately if containers overflow;

5. minimize the discharge of pollutants from spills and leaks and implement chemical spill and leak prevention and response procedures. Where a leak, spill, or other release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity established under either 40 CFR Part 110, 40 CFR Part 117, or 40 CFR Part 302 occurs during a 24-hour period, you must notify the National Response Center (NRC) at (800) 424-8802 in accordance with the requirements of 40 CFR Part 110, 40 CFR Part 117, and 40 CFR Part 302 as soon as you have knowledge of the release. You must also, within seven (7) calendar days of knowledge of the release, provide a description of the release, the circumstances leading to the release, and the date of the release; and
6. minimize exposure of sanitary waste by positioning portable toilets so that they are secure and will not be tipped or knocked over, and so that they are located away from surface water in the state and stormwater inlets or conveyances.

### Section E. Prohibited Discharges

The following discharges are prohibited:

1. wastewater from wash out of concrete, unless managed by an appropriate control;
2. wastewater from wash out and cleanout of stucco, paint, form release oils, curing compounds and other construction materials;
3. fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance;
4. soaps or solvents used in vehicle and equipment washing; and
5. toxic or hazardous substances from a spill or other release.

### Section F. Surface Outlets

When discharging from basins and impoundments, utilize outlet structures that withdraw water from the surface, unless infeasible. If infeasible, the permittee must provide documentation in the SWP3 to support the determination, including the specific conditions or time periods when this exception will apply.

## Part V. Stormwater Runoff from Concrete Batch Plants

Discharges of stormwater runoff from concrete batch plants present at regulated construction sites and operated as a construction support activity 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. Only the discharges of stormwater runoff and non-stormwater from concrete batch plants that meet the requirements of a construction support activity can be authorized under this permit (see the requirements for "Non-Stormwater Discharges" in Part II.A.3. and "Discharges of Stormwater Associated with Construction Support Activity" in Part II.A.2.).

If discharges of stormwater runoff or non-stormwater from concrete batch plants are not authorized under this general permit, then discharges must be authorized under an alternative general permit or individual permit [see the requirement in Part II.A.2.(c)].

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 shall sample the stormwater 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:

**Table 1. Benchmark Parameters**

| Benchmark Parameter | Benchmark Value | Sampling Frequency | Sample Type |
|---|---|---|---|
| Oil and Grease (*1) | 15 mg/L | 1/quarter (*2) (*3) | Grab (*4) |
| Total Suspended Solids (*1) | 50 mg/L | 1/quarter (*2) (*3) | Grab (*4) |
| pH | 6.0 – 9.0 Standard Units | 1/quarter (*2) (*3) | Grab (*4) |
| Total Iron (*1) | 1.3 mg/L | 1/quarter (*2) (*3) | Grab (*4) |

(*1) All analytical results for these parameters must be obtained from a laboratory that is accredited based on rules located in 30 TAC § 25.4 (a) or through the National Environmental Laboratory Accreditation Program (NELAP). Analysis must be performed using sufficiently sensitive methods for analysis that comply with the rules located in 40 CFR §§ 136.1(c) and 122.44(i)(1)(iv).

(*2) 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.

(*3) 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 stormwater 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 stormwater discharge occurred at least once following submission of the NOI or following the date that automatic authorization was obtained under Part II.E.2., and prior to terminating coverage.

(*4) A grab sample shall be collected from the stormwater 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 stormwater run-on to the permitted facility, by laboratory analyses of samples of stormwater 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 SWP3 Requirements – The following are required in addition to other SWP3 requirements listed in this general permit, which include, but are not limited to the applicable requirements located in Part III.F.8. of this general permit, as follows:

1. Description of Potential Pollutant Sources – The SWP3 must provide a description of potential sources (activities and materials) that can cause, have a reasonable potential to cause or contribute to a violation of water quality standards or have been found to cause, or contribute to, the loss of a designated use of surface water in the state in stormwater discharges associated with concrete batch plants authorized under this permit. The SWP3 must describe the implementation of practices that will be used to minimize to the extent practicable the discharge of pollutants in stormwater discharges associated with industrial activity and non-stormwater discharges (described in Part II.A.3. of this general permit), in compliance with the terms and conditions of 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:

      i. the location of all outfalls for stormwater discharges associated with concrete batch plants that are authorized under this permit;

      ii. a depiction of the drainage area and the direction of flow to the outfall(s);

      iii. structural controls used within the drainage area(s);

iv. 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

v. 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 stormwater and precipitation and that have a potential to affect the quality of stormwater 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 stormwater and precipitation and that drain to stormwater outfalls associated with concrete batch plants authorized under this general permit must be developed, maintained, and updated as needed.

(d) Sampling Data – A summary of existing stormwater 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 V.B.1. 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.

i. 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 stormwater. 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.

ii. Operators must prevent the exposure of fine granular solids, such as cement, to stormwater. 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 stormwater runoff and precipitation, 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. Personnel conducting these inspections are not required to have signatory authority for inspection reports under 30 TAC § 305.128. Inspections of facilities in operation must be performed

once every seven (7) days. Inspections of facilities that are not in operation must be performed at a minimum of once per month. The current inspection frequency being implemented at the facility must be recorded in the SWP3. The inspection must take place while the facility is in operation and must, at a minimum, include all areas that are exposed to stormwater 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 stormwater 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 (1) 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 stormwater 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 stormwater 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 (2) weeks of the evaluation: the description of potential pollutant sources identified in the SWP3 (as required in Part V.B.1., "Description of Potential Pollutant Sources"); and pollution prevention measures and controls identified in the SWP3 (as required in Part V.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 § 305.128 (relating to Signatories to Reports).

(d) the Comprehensive Compliance Evaluation may substitute for one of the required inspections delineated in Part V.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 wash out at construction sites may be authorized if conducted in accordance with the requirements of Part VI of this general permit.

## Part VI. Concrete Truck Wash Out Requirements

This general permit authorizes the land disposal of wash out from concrete trucks at construction sites regulated under this general permit, provided the following requirements are met. Any discharge of concrete production wastewater to surface water in the state must be authorized under a separate TCEQ general permit or individual permit.

**A.** Discharge of concrete truck wash out water to surface water in the state, including discharge to storm sewers, is prohibited by this general permit.

**B.** Concrete truck wash out water shall be disposed in areas at the construction site where structural controls have been established to prevent discharge to surface water in the state, or to areas that have a minimal slope that allow infiltration and filtering of wash out water to prevent discharge to surface water in the state. 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.

**C.** Wash out of concrete trucks during rainfall events shall be minimized. The 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 wash out as the result of rainfall or stormwater runoff.

**D.** The disposal of wash out water from concrete trucks, made under authorization of this general permit must not cause or contribute to groundwater contamination.

**E.** If a SWP3 is required to be implemented, the SWP3 shall include concrete wash out areas on the associated site map.

## Part VII. 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 in Part II.F.1. and 2. of this permit. 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:

**A.** a copy of the SWP3;

**B.** all reports and actions required by this permit, including a copy of the TCEQ construction site notice;

**C.** all data used to complete the NOI, if an NOI is required for coverage under this general permit; and

**D.** 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 VIII. Standard Permit Conditions

**A.** 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 (CWA and TWC), and is grounds for enforcement action, for terminating, revoking and reissuance, or modification, or denying coverage under this general permit, or for requiring a discharger to apply for and obtain an individual TPDES permit, based on rules located in TWC § 23.086, 30 TAC § 305.66, and 40 CFR § 122.41 (a).

**B.** Authorization under this general permit may be modified, suspended, revoked and reissued, terminated or otherwise suspended for cause, based on rules located in TWC § 23.086, 30 TAC § 305.66, and 40 CFR § 122.41(f). 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 modifying, revoking and reissuing, terminating or, otherwise suspending authorization under this permit, based on rules located in TWC § 23.086, 30 TAC § 305.66, and 40 CFR § 122.41 (h). 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.

**C.** 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.

**D.** Inspection and entry shall be allowed under TWC Chapters 26-28, Texas Health and Safety Code §§ 361.032-361.033 and 361.037, and 40 CFR § 122.41(i). The statement in TWC § 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.

**E.** The discharger is subject to administrative, civil, and criminal penalties, as applicable, under TWC Chapter 7 for violations including but not limited to the following:

1. negligently or knowingly violating the federal CWA §§ 301, 302, 306, 307, 308, 318, or 405, or any condition or limitation implementing any sections in a permit issued under CWA § 402, or any requirement imposed in a pretreatment program approved under CWA §§ 402(a)(3) or 402(b)(8);
2. 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; and
3. knowingly violating CWA §303 and placing another person in imminent danger of death or serious bodily injury.

**F.** 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).

**G.** Authorization under this general permit does not convey property or water rights of any sort and does not grant any exclusive privilege.

**H.** The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

**I.** The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems that are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

**J.** The permittee shall comply with the monitoring and reporting requirements in 40 CFR § 122.41(j) and (l), as applicable.

**K.** Analysis must be performed using sufficiently sensitive methods for analysis that comply with the rules located in 40 CFR §§ 136.1(c) and 122.44(i)(1)(iv).

## Part IX. Fees

**A.** A fee of must be submitted along with the NOI:

1. $225 if submitting an NOI electronically, or
2. $325 if submitting a paper NOI.

**B.** 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.

**C.** No separate annual fees will be assessed for this general permit. 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

Archer: Dec. 15 - Feb. 14

Armstrong: Nov. 15 - Apr. 30

Bailey: Nov. 1 - Apr. 30, or Nov. 15 - May 14

Baylor: Dec. 15 - Feb. 14

Borden: Nov. 15 - Apr. 30

Brewster: Nov. 15 - Apr. 30

Briscoe: Nov. 15 - Apr. 30

Brown: Dec. 15 - Feb. 14

Callahan: Dec. 15 - Feb. 14

Carson: Nov. 15 - Apr. 30

Castro: Nov. 15 - Apr. 30

Childress: Dec. 15 - Feb. 14

Cochran: Nov. 1 - Apr. 30, or Nov. 15 - May 14

Coke: Dec. 15 - Feb. 14

Coleman: Dec. 15 - Feb. 14

Collingsworth: Jan. 1 - Mar. 30, or Dec. 1 - Feb. 28

Concho: Dec. 15 - Feb. 14

Cottle: Dec. 15 - Feb. 14

Crane: Nov. 15 - Apr. 30

Crockett: Nov. 15 - Jan. 14, or Feb. 1 - Mar. 30

Crosby: Nov. 15 - Apr. 30

Culberson: Nov. 1 - May 14

Dallam: Nov. 1 - Apr. 14, or Nov. 15 - Apr. 30

Dawson: Nov. 15 - Apr. 30

Deaf Smith: Nov. 15 - Apr. 30

Dickens: Nov. 15 - Jan. 14, or Feb. 1 - Mar. 30

Dimmit: Dec. 15 - Feb. 14

Donley: Jan. 1 - Mar. 30, or Dec. 1 - Feb. 28

Eastland: Dec. 15 - Feb. 14

Ector: Nov. 15 - Apr. 30

Edwards: 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

Fisher: Dec. 15 - Feb. 14

Floyd: Nov. 15 - Apr. 30

Foard: Dec. 15 - Feb. 14

Gaines: Nov. 15 - Apr. 30

Garza: Nov. 15 - Apr. 30

Glasscock: Nov. 15 - Apr. 30

Hale: Nov. 15 - Apr. 30

Hall: Feb. 1 - Mar. 30

Hansford: Nov. 15 - Apr. 30

Hardeman: Dec. 15 - Feb. 14

Hartley: Nov. 15 - Apr. 30

Haskell: Dec. 15 - Feb. 14

Hockley: Nov. 1 - Apr. 14, or Nov. 15 - Apr. 30

Howard: Nov. 15 - Apr. 30

Hudspeth: Nov. 1 - May 14

Hutchinson: Nov. 15 - Apr. 30

Irion: Dec. 15 - Feb. 14

Jeff Davis: Nov. 1 - Apr. 30 or Nov. 15 - May 14

Jones: Dec. 15 - Feb. 14

Kent: Nov. 15 - Jan. 14 or Feb. 1 - Mar. 30

Kerr: Dec. 15 - Feb. 14

Kimble: Dec. 15 - Feb. 14

King: Dec. 15 - Feb. 14

Kinney: Dec. 15 - Feb. 14

Knox: Dec. 15 - Feb. 14

Lamb: Nov. 1 - Apr. 14, or Nov. 15 - Apr. 30

Loving: Nov. 1 - Apr. 30, or Nov. 15 - May 14

Lubbock: Nov. 15 - Apr. 30

Lynn: Nov. 15 - Apr. 30

Martin: Nov. 15 - Apr. 30

Mason: Dec. 15 - Feb. 14

Maverick: Dec. 15 - Feb. 14

McCulloch: Dec. 15 - Feb. 14

Menard: Dec. 15 - Feb. 14

Midland: Nov. 15 - Apr. 30

Mitchell: Nov. 15 - Apr. 30

Moore: Nov. 15 - Apr. 30

Motley: Nov. 15 - Jan. 14, or Feb. 1 - Mar. 30

Nolan: Dec. 15 - Feb. 14

Oldham: Nov. 15 - Apr. 30

Parmer: Nov. 1 - Apr. 14, or Nov. 15 - Apr. 30
Pecos: Nov. 15 - Apr. 30
Potter: Nov. 15 - Apr. 30
Presidio: Nov. 1 - Apr. 30, or Nov. 15 - May 14
Randall: Nov. 15 - Apr. 30
Reagan: Nov. 15 - Apr. 30
Real: Dec. 15 - Feb. 14
Reeves: Nov. 1 - Apr. 30, or Nov. 15 - May 14
Runnels: Dec. 15 - Feb. 14
Schleicher: Dec. 15 - Feb. 14
Scurry: Nov. 15 - Apr. 30
Shackelford: Dec. 15 - Feb. 14
Sherman: Nov. 15 - Apr. 30
Stephens: Dec. 15 - Feb. 14
Sterling: Nov. 15 - Apr. 30
Stonewall: Dec. 15 - Feb. 14
Sutton: Dec. 15 - Feb. 14
Swisher: Nov. 15 - Apr. 30
Taylor: Dec. 15 - Feb. 14
Terrell: Nov. 15 - Apr. 30
Terry: Nov. 15 - Apr. 30
Throckmorton: Dec. 15 - Feb. 14
Tom Green: Dec. 15 - Feb. 14
Upton: Nov. 15 - Apr. 30
Uvalde: Dec. 15 - Feb. 14
Val Verde: Nov. 15 - Jan. 14, or Feb. 1 - Mar. 30
Ward: Nov. 1 - Apr. 14, or Nov. 15 - Apr. 30
Wichita: Dec. 15 - Feb. 14
Wilbarger: Dec. 15 - Feb. 14
Winkler: Nov. 1 - Apr. 30, or Nov. 15 - May 14
Yoakum: Nov. 1 - Apr. 30, or Nov. 15 - May 14
Young: Dec. 15 - Feb. 14
Wheeler: Jan. 1 - Mar. 30, or Dec. 1 - Feb. 28
Zavala: Dec. 15 - Feb. 14

## Appendix B: Storm Erosivity (EI) Zones in Texas

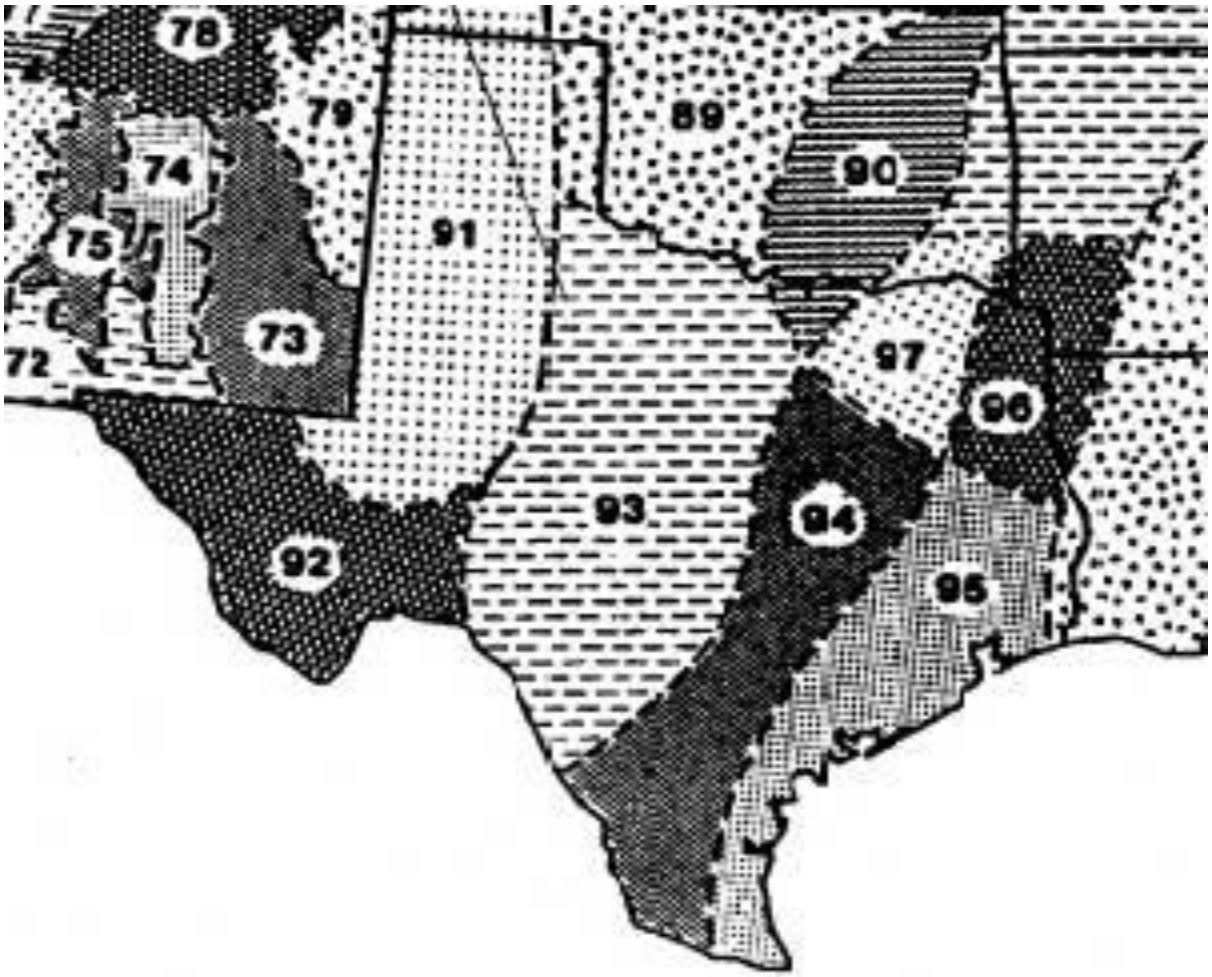



**Figure B.** EI Distribution Zones

*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

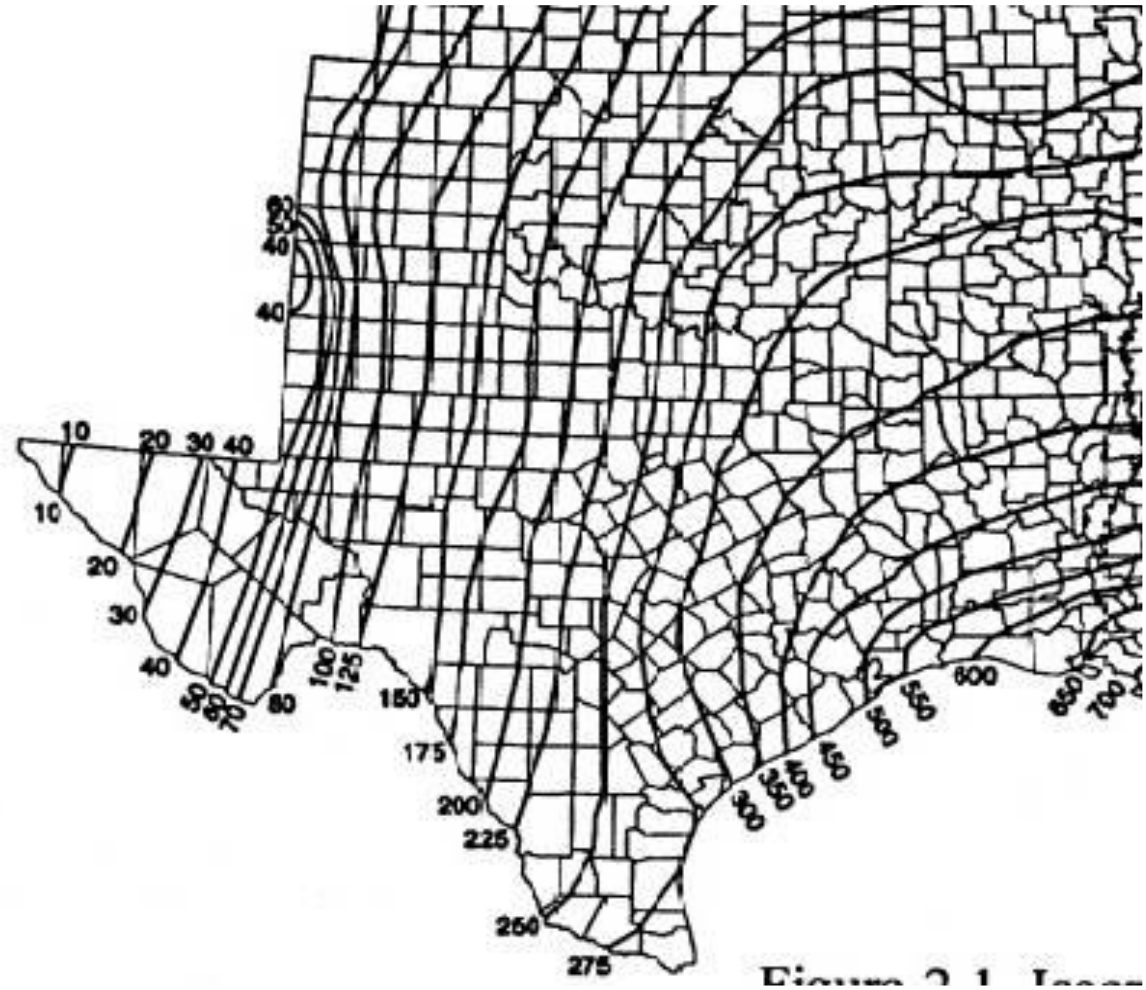



**Figure C.** Isoerodent Map of Texas. Units are hundreds ft*tonf*in(ac*h*yr)$^{-1}$

*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

**Table D.** EI as percentage of average annual computed selected geographic areas (EI number) by date period (month/day).

## Date Periods* (Month/Day)

| EI # | 1/1 | 1/16 | 1/31 | 2/15 | 3/1 | 3/16 | 3/31 | 4/15 | 4/30 | 5/15 | 5/30 | 6/14 | 6/29 | 7/14 | 7/29 | 8/13 | 8/28 | 9/12 | 9/27 | 10/12 | 10/27 | 11/11 | 11/26 | 12/11 | 12/31 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **89** | 0 | 1 | 1 | 2 | 3 | 4 | 7 | 2 | 8 | 27 | 38 | 48 | 55 | 62 | 69 | 76 | 83 | 90 | 94 | 97 | 98 | 99 | 100 | 100 | 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 | 100 |
| **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 | 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 | 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 | 100 |
| **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 | 100 |
| **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 | 100 |
| **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 | 100 |
| **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 | 100 |
| **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 | 100 |

*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 11 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.*

# Texas Commission on Environmental Quality

P.O. Box 13087 Austin, Texas 78711-3087

## GENERAL PERMIT TO DISCHARGE UNDER THE

## TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM

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

This permit supersedes and replaces
TPDES General Permit No. TXR050000, issued August 14, 2016.

Facilities that discharge stormwater associated with industrial activity

located in the state of Texas

may discharge to surface water in the state

only according to effluent limitations, monitoring requirements and other conditions set forth in this general permit, as well as the rules of the Texas Commission on Environmental Quality (TCEQ), the laws of the State of Texas, and other orders of the Commission of the TCEQ (Commission). The issuance of this general permit does not grant to the permittee(s) the right to use private or public property for conveyance of wastewater along the discharge route. This includes property belonging to but not limited to any individual, partnership, corporation or other entity. Neither does this general permit authorize any invasion of personal rights nor any violation of federal, state, or local laws or regulations. It is the responsibility of the permittee(s) to acquire property rights as may be necessary to use the discharge route.

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

EFFECTIVE DATE: August 14, 2021

ISSUED DATE: July 16, 2021

Digitally signed by Jon Niermann
Date: 2021.07.16 10:00:54 -05'00'

For the Commission

**Table of Contents**

## Part I. DEFINITIONS

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

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

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

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

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

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

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

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

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

**Control Measure.** Any BMP, including structural and non-structural controls, or other method (including effluent limitations) used to prevent or reduce the discharge of pollutants to water in the state.

**Daily Average Concentration**. The arithmetic average of all effluent samples, composite or grab as required by this permit, within a period of one calendar month, consisting of at least four separate representative measurements. When four samples are not available in a calendar month, the arithmetic average (weighted by flow) of all values taken during the month must be used as the daily average concentration.

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

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

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

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

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

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

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

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

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

**General Permit**. A permit issued to authorize the discharge of waste into or adjacent to water in the state for one or more categories of waste discharge within a geographical area of the state or the entire state as provided by TWC §26.040.

**Hyperchlorinated Water**. Water resulting from hyperchlorination of waterlines or vessels, with a chlorine concentration greater than 10 milligrams per liter (mg/L).

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

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

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

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

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

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

**Minimize.** For the purposes of this permit, minimize means to reduce and/or eliminate to the extent achievable using control measures that are technologically available and economically practicable and achievable in light of best industry practices.

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

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

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

(c) that is not a combined sewer; and

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

**NAICS –** North American Industry Classification System

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

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

**Non-structural Controls.** Pollution prevention methods that are not physically constructed, including BMPs used to prevent or reduce the discharge of pollutants.

**No Exposure**. A condition at an industrial facility where all industrial materials and activities are protected by a storm resistant shelter to prevent exposure to rain, snow, snowmelt, and/or runoff. Industrial materials or activities include, but are not limited to, material handling equipment or activities, industrial machinery, raw materials, intermediate products, by-products, final products, or waste products. Material handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product or waste product.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

products such as ashes, slag and sludge that have the potential to be released with stormwater discharges.

**Standard Industrial Classification (SIC) Code**. A four (4) digit code created by the U.S. Office of Management & Budget for statistical classification purposes that describes an industrial activity that takes place at a facility or site. It is possible for a facility or site to have multiple SIC codes depending on the varying activities that take place.

- **Primary SIC Code - (also known as "Site SIC Code" or "Facility SIC Code").** For the purpose of this permit, an SIC code that describes the principal product or group of products produced or distributed at a facility, or that describes services rendered. The primary SIC code may be determined based on the value of receipts or revenues or, if such information is not available for a particular facility, the number of employees or production rate for each process may be compared. The operation that generates the most revenue or employs the most personnel is the operation in which the facility is primarily engaged. In situations where the vast majority of on-site activity falls within one SIC code, that activity may be the primary SIC code.
- **Secondary SIC Code**. For the purpose of this permit an SIC code that describes an industrial activity that is performed at a regulated facility or site that is in addition to the primary SIC code. Determining the secondary industrial activity that occurs at a facility or site is accomplished by using the same criteria as determining the primary industrial activity at the facility (e.g., production value, receipts, employment).

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

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

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

operated by federal, state, or municipal entities. For the complete regulatory definition, including the categories of industrial activity, see 40 CFR §122.26(b)(14).

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

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

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

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

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

**Waters of the United States.** Waters of the United States or waters of the U.S. means the term as defined in 40 CFR § 122.2.

## Part II. PERMIT APPLICABILITY AND COVERAGE

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

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

### Section A. Discharges Eligible for Authorization by General Permit

#### 1. Industrial Activities Covered

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

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

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

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

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

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

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

Industrial activities are grouped into 30 sectors of similar activities based on either SIC codes or Industrial Activity Codes.

**SECTOR A: TIMBER PRODUCTS**

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 2411 | Logging | 113310 | Logging |
| 2421 | General Sawmills and Planing Mills | 321113 | Sawmills |
| | | 321912 | Cut Stock, Resawing Lumber, and Planing |
| | | 321918 | Other Millwork (including Flooring) |
| | | 321920 | Wood Container and Pallet Manufacturing |
| | | 321999 | All Other Miscellaneous Wood Product Manufacturing |
| 2426 | Hardwood Dimension and Flooring Mills | 321113 | Sawmills |
| | | 321912 | Cut Stock, Resawing Lumber, and Planing |
| | | 321918 | Other Millwork (including Flooring) |
| | | 337215 | Showcase, Partition, Shelving, and Locker Manufacturing |
| 2429 | Special Product Sawmills, Not Elsewhere Classified | 321113 | Sawmills |
| | | 321920 | Wood Container and Pallet Manufacturing |
| | | 321999 | All Other Miscellaneous Wood Product Manufacturing |
| 2431 | Millwork | 321911 | Wood Window and Door Manufacturing |
| | | 321918 | Other Millwork (including Flooring) |
| 2435 | Hardwood Veneer and Plywood | 321211 | Hardwood Veneer and Plywood Manufacturing |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 2436 | Softwood Veneer and Plywood | 321212 | Softwood Veneer and Plywood Manufacturing |
| 2439 | Structural Wood Members, Not Elsewhere Classified | 321213 | Engineered Wood Member (except Truss) Manufacturing |
| | | 321214 | Truss Manufacturing |
| 2441 | Nailed and Lock Corner Wood Boxes and Shook | 321920 | Wood Container and Pallet Manufacturing |
| 2448 | Wood Pallets and Skids | 321920 | Wood Container and Pallet Manufacturing |
| 2449 | Wood Containers, Not Elsewhere Classified | 321920 | Wood Container and Pallet Manufacturing |
| 2451 | Mobile Homes | 321991 | Manufactured Home (Mobile Home) Manufacturing |
| 2452 | Prefabricated Wood Buildings and Components | 321992 | Prefabricated Wood Building Manufacturing |
| 2491 | Wood Preserving | 321114 | Wood Preservation |
| 2493 | Reconstituted Wood Products | 321219 | Reconstituted Wood Product Manufacturing |
| 2499 | Wood Products, Not Elsewhere Classified | 321920 | Wood Container and Pallet Manufacturing |
| | | 321999 | All Other Miscellaneous Wood Product Manufacturing |
| | | 333415 | Air-Conditioning and Warm Air Heating Equipment and Commercial and Industrial Refrigeration Equipment Manufacturing |
| | | 337125 | Household Furniture (except Wood and Metal) Manufacturing |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| | | 339113 | Surgical Appliance and Supplies Manufacturing |
| | | 339999 | All Other Miscellaneous Manufacturing |

**SECTOR B: PAPER AND ALLIED PRODUCTS**

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 2611 | Pulp Mills | 322110 | Pulp Mills |
| | | 322121 | Paper (except Newsprint) Mills |
| | | 322122 | Newsprint Mills |
| | | 322130 | Paperboard Mills |
| 2621 | Paper Mills | 322121 | Paper (except Newsprint) Mills |
| | | 322122 | Newsprint Mills |
| 2631 | Paperboard Mills | 322130 | Paperboard Mills |
| 2652 | Setup Paperboard Boxes | 322219 | Other Paperboard Container Manufacturing |
| 2653 | Corrugated and Solid Fiber Boxes | 322211 | Corrugated and Solid Fiber Box Manufacturing |
| 2655 | Fiber Cans, Tubes, Drums, and Similar Products | 322219 | Other Paperboard Container Manufacturing |
| 2656 | Sanitary Food Containers, Except Folding | 322219 | Other Paperboard Container Manufacturing |
| 2657 | Folding Paperboard Boxes, Including Sanitary | 322212 | Folding Paperboard Box Manufacturing |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 2671 | Packaging Paper and Plastics Film, Coated and Laminated | 322220 | Paper Bag and Coated and Treated Paper Manufacturing |
| | | 326112 | Plastics Packaging Film and Sheet (including Laminated) Manufacturing |
| 2672 | Coated and Laminated Paper, Not Elsewhere Classified | 322220 | Paper Bag and Coated and Treated Paper Manufacturing |
| 2673 | Plastics, Foil, and Coated Paper Bags | 322220 | Paper Bag and Coated and Treated Paper Manufacturing |
| | | 326111 | Plastics Bag and Pouch Manufacturing |
| 2674 | Uncoated Paper and Multiwall Bags | 322220 | Paper Bag and Coated and Treated Paper Manufacturing |
| 2675 | Die-Cut Paper and Paperboard and Cardboard | 322220 | Paper Bag and Coated and Treated Paper Manufacturing |
| | | 322230 | Stationery Product Manufacturing |
| | | 322299 | All Other Converted Paper Product Manufacturing |
| 2676 | Sanitary Paper Products | 322291 | Sanitary Paper Product Manufacturing |
| 2677 | Envelopes | 322230 | Stationery Product Manufacturing |
| 2678 | Stationery, Tablets, and Related Products | 322230 | Stationery Product Manufacturing |
| 2679 | Converted Paper and Paperboard Products, Not Elsewhere Classified | 322211 | Corrugated and Solid Fiber Box Manufacturing |
| | | 322220 | Paper Bag and Coated and Treated Paper Manufacturing |
| | | 322230 | Stationery Product Manufacturing |
| | | 322299 | All Other Converted Paper Product Manufacturing |

**SECTOR C: CHEMICAL AND ALLIED PRODUCTS**

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 2812 | Alkalies and Chlorine | 325180 | Other Basic Inorganic Chemical Manufacturing |
| 2813 | Industrial Gases | 325120 | Industrial Gas Manufacturing |
| 2816 | Inorganic Pigments | 325130 | Synthetic Dye and Pigment Manufacturing |
| | | 325180 | Other Basic Inorganic Chemical Manufacturing |
| 2821 | Plastics Materials, Synthetic Resins, and Nonvulcanizable Elastomers | 325211 | Plastics Material and Resin Manufacturing |
| 2822 | Synthetic Rubber (Vulcanizable Elastomers) | 325212 | Synthetic Rubber Manufacturing |
| 2823 | Cellulosic Manmade Fibers | 325220 | Artificial and Synthetic Fibers and Filaments Manufacturing |
| 2824 | Manmade Organic Fibers, Except Cellulosic | 325220 | Artificial and Synthetic Fibers and Filaments Manufacturing |
| 2833 | Medicinal Chemicals and Botanical Products | 325411 | Medicinal and Botanical Manufacturing |
| 2834 | Pharmaceutical Preparations | 325412 | Pharmaceutical Preparation Manufacturing |
| 2835 | In Vitro and In Vivo Diagnostic Substances | 325412 | Pharmaceutical Preparation Manufacturing |
| | | 325413 | In Vitro Diagnostic Substance Manufacturing |
| 2836 | Biological Products, Except Diagnostic Substances | 325414 | Biological Product (except Diagnostic) Manufacturing |
| 2841 | Soap and Other Detergents, Except Specialty Cleaners | 325611 | Soap and Other Detergent Manufacturing |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 2842 | Specialty Cleaning, Polishing, and Sanitation Preparations | 325612 | Polish and Other Sanitation Good Manufacturing |
| 2843 | Surface Active Agents, Finishing Agents, Sulfonated Oils, and Assistants | 325613 | Surface Active Agent Manufacturing |
| 2844 | Perfumes, Cosmetics, and Other Toilet Preparations | 325611 | Soap and Other Detergent Manufacturing |
| | | 325620 | Toilet Preparation Manufacturing |
| 2851 | Paints, Varnishes, Lacquers, Enamels, and Allied Products | 325510 | Paint and Coating Manufacturing |
| 2861 | Gum and Wood Chemicals | 325194 | Cyclic Crude, Intermediate, and Gum and Wood Chemical Manufacturing |
| 2865 | Cyclic Organic Crudes and Intermediates, and Organic Dyes and Pigments | 325110 | Petrochemical Manufacturing |
| | | 325130 | Synthetic Dye and Pigment Manufacturing |
| | | 325194 | Cyclic Crude, Intermediate, and Gum and Wood Chemical Manufacturing |
| 2869 | Industrial Organic Chemicals, Not Elsewhere Classified | 325110 | Petrochemical Manufacturing |
| | | 325120 | Industrial Gas Manufacturing |
| | | 325180 | Other Basic Inorganic Chemical Manufacturing |
| | | 325193 | Ethyl Alcohol Manufacturing |
| | | 325194 | Cyclic Crude, Intermediate, and Gum and Wood Chemical Manufacturing |
| | | 325199 | All Other Basic Organic Chemical Manufacturing |
| | | 325998 | All Other Miscellaneous Chemical Product and Preparation Manufacturing |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 2873 | Nitrogenous Fertilizers | 325311 | Nitrogenous Fertilizer Manufacturing |
| 2874 | Phosphatic Fertilizers | 325312 | Phosphatic Fertilizer Manufacturing |
| 2875 | Fertilizers, Mixing Only | 325314 | Fertilizer (Mixing Only) Manufacturing |
| 2879 | Pesticides and Agricultural Chemicals, Not Elsewhere Classified | 325320 | Pesticides and Other Agricultural Chemical Manufacturing |
| 2891 | Adhesives and Sealants | 325520 | Adhesive Manufacturing |
| 2892 | Explosives | 325920 | Explosives Manufacturing |
| 2893 | Printing Ink | 325910 | Printing Ink Manufacturing |
| 2895 | Carbon Black | 325180 | Other Basic Inorganic Chemical Manufacturing |
| 2899 | Chemicals and Chemical Preparations, Not Elsewhere Classified | 311942 | Spice and Extract Manufacturing |
| | | 325199 | All Other Basic Organic Chemical Manufacturing |
| | | 325510 | Paint and Coating Manufacturing |
| | | 325998 | All Other Miscellaneous Chemical Product and Preparation Manufacturing |
| 2911 | Petroleum Refining | 324110 | Petroleum Refineries |
| 3952 | Limited to List of Inks and Paints including: China Painting Enamels, India Ink, Drawing Ink, Platinum Paints for Burnt Wood or Leather Work, Paints for China Painting; Artist's Paints, and Artist's Watercolors | 325998 | All Other Miscellaneous Chemical Product and Preparation Manufacturing |
| | | 339940 | Office Supplies (except Paper) Manufacturing |

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

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 2951 | Asphalt Paving Mixtures and Blocks | 324121 | Asphalt Paving Mixture and Block Manufacturing |
| 2952 | Asphalt Felts and Coatings | 324122 | Asphalt Shingle and Coating Materials Manufacturing |
| 2992 | Lubricating Oils and Greases | 324191 | Petroleum Lubricating Oil and Grease Manufacturing |
| 2999 | Products of Petroleum and Coal, Not Elsewhere Classified | 324199 | All Other Petroleum and Coal Products Manufacturing |

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

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 3211 | Flat Glass | 327211 | Flat Glass Manufacturing |
| 3221 | Glass Containers | 327213 | Glass Container Manufacturing |
| 3229 | Pressed and Blown Glass and Glassware, Not Elsewhere Classified | 327212 | Other Pressed and Blown Glass and Glassware Manufacturing |
| 3231 | Glass Products, Made of Purchased Glass | 327215 | Glass Product Manufacturing Made of Purchased Glass |
| 3241 | Cement, Hydraulic | 327310 | Cement Manufacturing |
| 3251 | Brick and Structural Clay Tile | 327120 | Clay Building Material and Refractories Manufacturing |
| | | 327331 | Concrete Block and Brick Manufacturing |
| 3253 | Ceramic Wall and Floor Tile | 327120 | Clay Building Material and Refractories Manufacturing |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 3255 | Clay Refractories | 327120 | Clay Building Material and Refractories Manufacturing |
| 3259 | Structural Clay Products, Not Elsewhere Classified | 327120 | Clay Building Material and Refractories Manufacturing |
| 3261 | Vitreous China Plumbing Fixtures and China and Earthenware Fittings and Bathroom Accessories | 327110 | Pottery, Ceramics, and Plumbing Fixture Manufacturing |
| 3262 | Vitreous China Table and Kitchen Articles | 327110 | Pottery, Ceramics, and Plumbing Fixture Manufacturing |
| 3263 | Fine Earthenware (Whiteware) Table and Kitchen Articles | 327110 | Pottery, Ceramics, and Plumbing Fixture Manufacturing |
| 3264 | Porcelain Electrical Supplies | 327110 | Pottery, Ceramics, and Plumbing Fixture Manufacturing |
| 3269 | Pottery Products, Not Elsewhere Classified | 327110 | Pottery, Ceramics, and Plumbing Fixture Manufacturing |
| 3271 | Concrete Block and Brick | 327331 | Concrete Block and Brick Manufacturing |
| 3272 | Concrete Products, Except Block and Brick | 327332 | Concrete Pipe Manufacturing |
| | | 327390 | Other Concrete Product Manufacturing |
| | | 327999 | All Other Miscellaneous Nonmetallic Mineral Product Manufacturing |
| 3273 | Ready-Mixed Concrete | 327320 | Ready-Mix Concrete Manufacturing |
| 3274 | Lime | 327410 | Lime Manufacturing |
| 3275 | Gypsum Products | 327420 | Gypsum Product Manufacturing |
| 3281 | Cut Stone and Stone Products | 327991 | Cut Stone and Stone Product Manufacturing |
| 3291 | Abrasive Products | 327910 | Abrasive Product Manufacturing |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| | | 332999 | All Other Miscellaneous Fabricated Metal Product Manufacturing |
| 3292 | Asbestos Product | 327999 | All Other Miscellaneous Nonmetallic Mineral Product Manufacturing |
| | | 336340 | Motor Vehicle Brake System Manufacturing |
| | | 336350 | Motor Vehicle Transmission and Power Train Parts Manufacturing |
| 3295 | Minerals and Earths, Ground or Otherwise Treated | 212324 | Kaolin and Ball Clay Mining |
| | | 212325 | Clay and Ceramic and Refractory Minerals Mining |
| | | 212393 | Other Chemical and Fertilizer Mineral Mining |
| | | 212399 | All Other Nonmetallic Mineral Mining |
| | | 327992 | Ground or Treated Mineral and Earth Manufacturing |
| 3296 | Mineral Wool | 327993 | Mineral Wool Manufacturing |
| 3297 | Nonclay Refractories | 327120 | Clay Building Material and Refractories Manufacturing |
| 3299 | Nonmetallic Mineral Products, Not Elsewhere Classified | 327110 | Pottery, Ceramics, and Plumbing Fixture Manufacturing |
| | | 327420 | Gypsum Product Manufacturing |
| | | 327999 | All Other Miscellaneous Nonmetallic Mineral Product Manufacturing |

**SECTOR F: PRIMARY METALS**

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 3312 | Steel Works, Blast Furnaces (including Coke Ovens), and Rolling Mills | 324199 | All Other Petroleum and Coal Products Manufacturing |
| | | 331110 | Iron and Steel Mills and Ferroalloy Manufacturing |
| | | 331221 | Rolled Steel Shape Manufacturing |
| 3313 | Electrometallurgical Products, Except Steel | 331110 | Iron and Steel Mills and Ferroalloy Manufacturing |
| 3315 | Steel Wiredrawing and Steel Nails and Spikes | 312222 | Steel Wire Drawing |
| | | 332618 | Other Fabricated Wire Product Manufacturing |
| 3316 | Cold-Rolled Steel Sheet, Strip, and Bars | 331221 | Rolled Steel Shape Manufacturing |
| 3317 | Steel Pipe and Tubes | 331210 | Iron and Steel Pipe and Tube Manufacturing from Purchased Steel |
| 3321 | Gray and Ductile Iron Foundries | 331511 | Iron Foundries |
| 3322 | Malleable Iron Foundries | 331511 | Iron Foundries |
| 3324 | Steel Investment Foundries | 331512 | Steel Investment Foundries |
| 3325 | Steel Foundries, Not Elsewhere Classified | 331513 | Steel Foundries (except Investment) |
| 3331 | Primary Smelting and Refining of Copper | 331410 | Nonferrous Metal (except Aluminum) Smelting and Refining |
| 3334 | Primary Production of Aluminum | 331313 | Alumina Refining and Primary Aluminum Production |
| 3339 | Primary Smelting and Refining of Nonferrous Metals, Except Copper and Aluminum | 331410 | Nonferrous Metal (except Aluminum) Smelting and Refining |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 3341 | Secondary Smelting and Refining of Nonferrous Metals | 331314 | Secondary Smelting and Alloying of Aluminum |
| | | 331420 | Copper Rolling, Drawing, Extruding, and Alloying |
| | | 331492 | Secondary Smelting, Refining, and Alloying of Nonferrous Metal (except Copper and Aluminum) |
| 3351 | Rolling, Drawing, and Extruding of Copper | 331420 | Copper Rolling, Drawing, Extruding, and Alloying |
| 3353 | Aluminum Sheet, Plate, and Foil | 331315 | Aluminum Sheet, Plate, and Foil Manufacturing |
| 3354 | Aluminum Extruded Products | 331318 | Other Aluminum Rolling, Drawing, and Extruding |
| 3355 | Aluminum Rolling and Drawing, Not Elsewhere Classified | 331318 | Other Aluminum Rolling, Drawing, and Extruding |
| 3356 | Rolling, Drawing, and Extruding of Nonferrous Metals, Except Copper and Aluminum | 331491 | Nonferrous Metal (except Copper and Aluminum) Rolling, Drawing, and Extruding |
| 3357 | Drawing and Insulating of Nonferrous Wire | 331318 | Other Aluminum Rolling, Drawing, and Extruding |
| | | 331420 | Copper Rolling, Drawing, Extruding, and Alloying |
| | | 331491 | Nonferrous Metal (except Copper and Aluminum) Rolling, Drawing, and Extruding |
| | | 335921 | Fiber Optic Cable Manufacturing |
| | | 335929 | Other Communication and Energy Wire Manufacturing |
| 3363 | Aluminum Die-Castings | 331523 | Nonferrous Metal Die-Casting Foundries |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 3364 | Nonferrous Die-Castings, Except Aluminum | 331523 | Nonferrous Metal Die-Casting Foundries |
| 3365 | Aluminum Foundries | 331524 | Aluminum Foundries (except Die-Casting) |
| 3366 | Copper Foundries | 331529 | Other Nonferrous Metal Foundries (except Die-Casting) |
| 3369 | Nonferrous Foundries, Except Aluminum and Copper | 331529 | Other Nonferrous Metal Foundries (except Die-Casting) |
| 3398 | Metal Heat Treating | 332811 | Metal Heat Treating |
| 3399 | Primary Metal Products, Not Elsewhere Classified | 331110 | Iron and Steel Mills and Ferroalloy Manufacturing |
| | | 331221 | Rolled Steel Shape Manufacturing |
| | | 331314 | Secondary Smelting and Alloying of Aluminum |
| | | 331420 | Copper Rolling, Drawing, Extruding, and Alloying |
| | | 331492 | Secondary Smelting, Refining, and Alloying of Nonferrous Metal (except Copper and Aluminum) |
| | | 332618 | Other Fabricated Wire Product Manufacturing |
| | | 332813 | Electroplating, Plating, Polishing, Anodizing and Coloring |

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

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 1011 | Iron Ores | 212210 | Iron Ore Mining |
| 1021 | Copper Ores | 212230 | Copper, Nickel, Lead, and Zinc Mining |
| 1031 | Lead and Zinc Ores | 212230 | Copper, Nickel, Lead, and Zinc Mining |
| 1041 | Gold Ores | 212221 | Gold Ore Mining |
| 1044 | Silver Ores | 212222 | Silver Ore Mining |
| 1061 | Ferroalloy Ores, Except Vanadium | 212230 | Copper, Nickel, Lead, and Zinc Mining |
| | | 212299 | All Other Metal Ore Mining |
| 1081 | Metal Mining Services | 213114 | Support Activities for Metal Mining |
| | | 238910 | Site Preparation Contractors |
| 1094 | Uranium-Radium-Vanadium Ores | 212291 | Uranium-Radium-Vanadium Ore Mining |
| 1099 | Miscellaneous Metal Ores, Not Elsewhere Classified | 212299 | All Other Metal Ore Mining |

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

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 1221 | Bituminous Coal and Lignite Surface Mining | 212111 | Bituminous Coal and Lignite Surface Mining |
| 1222 | Bituminous Coal Underground Mining | 212112 | Bituminous Coal Underground Mining |
| 1231 | Anthracite Mining | 212113 | Anthracite Mining |
| 1241 | Coal Mining Services | 213113 | Support Activities for Coal |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| | | 238910 | Site Preparation Contractors |

## SECTOR I: OIL AND GAS EXTRACTION FACILITIES

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| *Industrial Activities regulated under the EPA Region 6 NPDES Program:* | | | |
| 1311 | Crude Petroleum and Natural Gas | 211120 | Crude Petroleum Extraction |
| 1321 | Natural Gas Liquids | 211130 | Natural Gas Extraction |
| 1381 | Drilling Oil and Gas Wells | 213111 | Drilling Oil and Gas Wells |
| 1382 | Oil and Gas Field Exploration Services | 213112 | Support Activities for Oil and Gas Operations |
| 1389 | Oil and Gas Field Services, Not Elsewhere Classified (Applies to activities that occur in the field other than oil field service company "home base" facilities) | 213112 | Support Activities for Oil and Gas Operations |
| | | 237120 | Oil and Gas Pipeline and Related Structures Construction |
| | | 238910 | Site Preparation Contractors |
| *Industrial Activities Regulated under this General Permit:* | | | |
| 1389 | Oil and Gas Field Services, Not Elsewhere Classified (Applies to activities that do not occur in the field; those that occur at a company headquarters, permanent offices, or base of operations, or at oil field service company "home base" facilities) | No NAICS Code Equivalent | No NAICS Code Equivalent |

## SECTOR J: MINERAL MINING AND PROCESSING FACILITIES

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 1411 | Dimension Stone | 212311 | Dimension Stone Mining and Quarrying |
| 1422 | Crushed and Broken Limestone | 212312 | Crushed and Broken Limestone Mining and Quarrying |
| 1423 | Crushed and Broken Granite | 212313 | Crushed and Broken Granite Mining and Quarrying |
| 1429 | Crushed and Broken Stone, Not Elsewhere Classified | 212319 | Other Crushed and Broken Stone Mining and Quarrying |
| 1442 | Construction Sand and Gravel | 212321 | Construction Sand and Gravel Mining |
| 1446 | Industrial Sand | 212322 | Industrial Sand Mining |
| 1455 | Kaolin and Ball Clay | 212324 | Kaolin and Ball Clay Mining |
| 1459 | Clay, Ceramic, and Refractory Minerals, Not Elsewhere Classified | 212325 | Clay and Ceramic and Refractory Minerals Mining |
| 1474 | Potash, Soda, and Borate Minerals | 212391 | Potash, Soda, and Borate Mineral Mining |
| 1475 | Phosphate Rock | 212392 | Phosphate Rock Mining |
| 1479 | Chemical and Fertilizer Mineral Mining, Not Elsewhere Classified | 212393 | Other Chemical and Fertilizer Mineral Mining |
| 1481 | Nonmetallic Minerals Services, Except Fuels | 213115 | Support Activities for Nonmetallic Minerals (except Fuels) Mining |
| | | 238910 | Site Preparation Contractors |
| 1499 | Miscellaneous Nonmetallic Minerals, Except Fuels | 212319 | Other Crushed and Broken Stone Mining and Quarrying |
| | | 212399 | All Other Nonmetallic Mineral Mining |

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

| Activity Code | Activity Code Description | 2017 NAICS Code | Notes |
|---|---|---|---|
| HZ | Hazardous Waste Treatment, Storage and Disposal Facilities | No NAICS Code Equivalent | Activity Codes are non-SIC / non-NAICS designation<br><br>See Part V, Section K for Detailed Description of Sector |

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

| Activity Code | Activity Code Description | 2017 NAICS Code | Notes |
|---|---|---|---|
| LF | Landfills, Land Application Sites, and Open Dumps | No NAICS Code Equivalent | Activity Codes are non-SIC / non-NAICS designation<br><br>See Part V, Section L for Detailed Description of Sector |

**SECTOR M: AUTOMOBILE SALVAGE YARDS**

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 5015 | Motor Vehicle Parts, Used (Automobile Salvage Yard) | 423140 | Motor Vehicle Parts (Used) Merchant Wholesalers |

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

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 5093 | Scrap and Waste Materials | 423930 | Recyclable Material Merchant Wholesalers |
| | | 425110 | Business to Business Electronic Markets |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 5093 | Scrap and Waste Materials | 425120 | Wholesale Trade Agents and Brokers |

**SECTOR O: STEAM ELECTRIC GENERATING FACILITIES**

| Activity Code | Activity Code Description | 2017 NAICS Code | Notes |
|---|---|---|---|
| SE | Steam Electric Power Generating Facilities | No NAICS Code Equivalent | Activity Codes are non-SIC / non-NAICS designation<br><br>See Part V, Section O for detailed description of Sector |

**SECTOR P: LAND TRANSPORTATION AND WAREHOUSING**

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 4011 | Railroads, Line-Haul Operating | 482111 | Line-Haul Railroads |
| 4013 | Railroad Switching and Terminal Establishments | 482112 | Short Line Railroads |
| | | 488210 | Support Activities for Rail Transportation |
| 4111 | Local and Suburban Transit | 485111 | Mixed Mode Transit Systems |
| | | 485112 | Commuter Rail Systems |
| | | 485113 | Bus and Other Motor Vehicle Transit Systems |
| | | 485119 | Other Urban Transit Systems |
| | | 485999 | All Other Transit and Ground Passenger Transportation |
| 4119 | | 485320 | Limousine Service |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| | Local Passenger Transportation, Not Elsewhere Classified | 485410 | School and Employee Bus Transportation |
| | | 485991 | Special Needs Transportation |
| | | 485999 | All Other Transit and Ground Passenger Transportation |
| | | 487110 | Scenic and Sightseeing Transportation, Land |
| | | 621910 | Ambulance Services |
| 4121 | Taxicabs | 485310 | Taxi Service |
| 4131 | Intercity and Rural Bus Transportation | 485210 | Interurban and Rural Bus Transportation |
| 4141 | Local Bus Charter Service | 485510 | Charter Bus Industry |
| 4142 | Bus Charter Service, Except Local | 485510 | Charter Bus Industry |
| 4151 | School Buses | 485410 | School and Employee Bus Transportation |
| 4173 | Terminal and Service Facilities for Motor Vehicle Passenger Transportation | 488490 | Other Support Activities for Road Transportation |
| 4212 | Local Trucking Without Storage | 484110 | General Freight Trucking, Local |
| | | 484210 | Used Household and Office Goods Moving |
| | | 484220 | Specialized Freight (except Used Goods) Trucking, Local |
| | | 562111 | Solid Waste Collection |
| | | 562112 | Hazardous Waste Collection |
| | | 562119 | Other Waste Collection |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 4213 | Trucking, Except Local | 484121 | General Freight Trucking, Long-Distance, Truckload |
| | | 484122 | General Freight Trucking, Long-Distance, Less Than Truckload |
| | | 484210 | Used Household and Office Goods Moving |
| | | 484230 | Specialized Freight (except Used Goods) Trucking, Long-Distance |
| 4214 | Local Trucking With Storage | 484110 | General Freight Trucking, Local |
| | | 484210 | Used Household and Office Goods Moving |
| | | 484220 | Specialized Freight (except Used Goods) Trucking, Local |
| 4215 | Courier Services, Except by Air | 492110 | Couriers and Express Delivery Services |
| | | 492210 | Local Messengers and Local Delivery |
| 4221 | Farm Product Warehousing and Storage | 493130 | Farm Product Warehousing and Storage |
| 4222 | Refrigerated Warehousing and Storage | 493120 | Refrigerated Warehousing and Storage |
| 4225 | General Warehousing and Storage | 493110 | General Warehousing and Storage |
| | | 531130 | Lessors of Miniwarehouses and Self-Storage Units |
| 4226 | Special Warehousing and Storage, Not Elsewhere Classified | 493110 | General Warehousing and Storage |
| | | 493120 | Refrigerated Warehousing and Storage |
| | | 493190 | Other Warehousing and Storage |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 4231 | Terminal and Joint Terminal Maintenance Facilities for Motor Freight Transportation | 488490 | Other Support Activities for Road Transportation |
| 4311 | United States Postal Service | 491110 | Postal Service |
| 5171 | Petroleum Bulk Stations and Terminals (primarily engaged in the wholesale distribution of crude petroleum and petroleum products, including liquefied petroleum gas, from bulk liquid storage facilities) | 424710 | Petroleum Bulk Stations and Terminals |
| | | 454310 | Fuel Dealers |

**SECTOR Q: WATER TRANSPORTATION**

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 4412 | Deep Sea Foreign Transportation of Freight | 483111 | Deep Sea Freight Transportation |
| 4424 | Deep Sea Domestic Transportation of Freight | 483113 | Coastal and Great Lakes Freight Transportation |
| 4449 | Water Transportation of Freight, Not Elsewhere Classified | 483211 | Inland Water Freight Transportation |
| 4481 | Deep Sea Transportation of Passengers, Except by Ferry | 483112 | Deep Sea Passenger Transportation |
| | | 483114 | Coastal Passenger Transportation |
| 4482 | Ferries | 483114 | Coastal and Great Lakes Passenger Transportation |
| | | 483212 | Inland Water Passenger Transportation |
| 4489 | Water Transportation of Passengers, Not Elsewhere Classified | 483212 | Inland Water Passenger Transportation |
| | | 487210 | Scenic and Sightseeing Transportation, Water |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 4491 | Marine Cargo Handling | 488310 | Port and Harbor Operations |
| | | 488320 | Marine Cargo Handling |
| 4492 | Towing and Tugboat Services | 488330 | Navigational Services to Shipping |
| 4493 | Marinas | 713930 | Marinas |
| 4499 | Water Transportation Services, Not Elsewhere Classified | 483211 | Inland Water Freight Transportation |
| | | 488310 | Port and Harbor Operations |
| | | 488330 | Navigational Services to Shipping |
| | | 488390 | Other Support Activities for Water Transportation |
| | | 532411 | Commercial Air, Rail, and Water Transportation Equipment Rental and Leasing |

**SECTOR R: SHIP AND BOAT BUILDING OR REPAIRING YARDS**

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 3731 | Ship Building and Repairing | 336611 | Ship Building and Repairing |
| | | 488390 | Other Support Activities for Water Transportation |
| 3732 | Boat Building and Repairing | 336612 | Boat Building |
| | | 811490 | Other Personal and Household Goods Repair and Maintenance |

**SECTOR S: AIR TRANSPORTATION**

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 4512 | Air Transportation, Scheduled | 481111 | Scheduled Passenger Air Transportation |
| | | 481112 | Scheduled Freight Air Transportation |
| 4513 | Air Courier Services | 492110 | Couriers and Express Delivery Services |
| 4522 | Air Transportation, Nonscheduled | 481211 | Nonscheduled Chartered Passenger Air Transportation |
| | | 481212 | Nonscheduled Chartered Freight Air Transportation |
| | | 481219 | Other Nonscheduled Air Transportation |
| | | 487990 | Scenic and Sightseeing Transportation, Other |
| | | 621910 | Ambulance Services |
| 4581 | Airports, Flying Fields, and Airport Terminal Services | 488119 | Other Airport Operations |
| | | 488190 | Other Support Activities for Air Transportation |

**SECTOR T: TREATMENT WORKS**

| Activity Code | Activity Code Description | 2017 NAICS Code | Notes |
|---|---|---|---|
| TW | Certain Wastewater Treatment Plants | No NAICS Code Equivalent | Activity Codes are non-SIC / non-NAICS designation<br><br>See Part V, Section T for Detailed Description of Sector |

## SECTOR U: FOOD AND KINDRED PRODUCTS FACILITIES

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 2011 | Meat Packing Plants | 311611 | Animal (except Poultry) Slaughtering |
| 2013 | Sausages and Other Prepared Meat Products | 311612 | Meat Processed from Carcasses |
| | | 311613 | Rendering and Meat Byproduct Processing |
| 2015 | Poultry Slaughtering and Processing | 311615 | Poultry Processing |
| | | 311999 | All Other Miscellaneous Food Manufacturing |
| 2021 | Creamery Butter | 311512 | Creamery Butter Manufacturing |
| 2022 | Natural, Processed, and Imitation Cheese | 311513 | Cheese Manufacturing |
| 2023 | Dry, Condensed, and Evaporated Dairy Products | 311511 | Fluid Milk Manufacturing |
| | | 311514 | Dry, Condensed, and Evaporated Dairy Product Manufacturing |
| 2024 | Ice Cream and Frozen Deserts | 311520 | Ice Cream and Frozen Desert Manufacturing |
| 2026 | Fluid Milk | 311511 | Fluid Milk Manufacturing |
| | | 311514 | Dry, Condensed, and Evaporated Dairy Product Manufacturing |
| 2032 | Canned Specialties | 311422 | Specialty Canning |
| | | 311999 | All Other Miscellaneous Food Manufacturing |
| 2033 | Canned Fruits, Vegetables, Preserves, Jams, and Jellies | 311421 | Fruit and Vegetable Canning |
| 2034 | Dried and Dehydrated Fruits, Vegetables, and Soup Mixes | 311211 | Flour Milling |
| | | 311423 | Dried and Dehydrated Food Manufacturing |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| | | 311999 | All Other Miscellaneous Food Manufacturing |
| 2035 | Pickled Fruits and Vegetables, Vegetable Sauces and Seasonings, and Salad Dressings | 311421 | Fruit and Vegetable Canning |
| | | 311941 | Mayonnaise, Dressing, and Other Prepared Sauce Manufacturing |
| 2037 | Frozen Fruits, Fruit Juices, and Vegetables | 311411 | Frozen Fruit, Juice, and Vegetable Manufacturing |
| 2038 | Frozen Specialties, Not Elsewhere Classified | 311412 | Frozen Specialty Food Manufacturing |
| 2041 | Flour and Other Grain Mill Products | 311211 | Flour Milling |
| 2043 | Cereal Breakfast Foods | 311230 | Breakfast Cereal Manufacturing |
| | | 311920 | Coffee and Tea Manufacturing |
| 2044 | Rice Milling | 311212 | Rice Milling |
| 2045 | Prepared Flour Mixes and Doughs | 311824 | Dry Pasta, Dough, and Flour Mixes Manufacturing from Purchased Flour |
| 2046 | Wet Corn Milling | 311221 | Wet Corn Milling |
| | | 311225 | Fats and Oils Refining and Blending |
| 2047 | Dog and Cat Food | 311111 | Dog and Cat Food Manufacturing |
| 2048 | Prepared Feed and Feed Ingredients for Animals and Fowls, Except Dogs and Cats | 311119 | Other Animal Food Manufacturing |
| | | 311611 | Animal (except Poultry) Slaughtering |
| 2051 | Bread and Other Bakery Products, Except Cookies and Crackers | 311812 | Commercial Bakeries |
| 2052 | Cookies and Crackers | 311812 | Commercial Bakeries |
| | | 311821 | Cookie and Cracker Manufacturing |
| | | 311919 | Other Snack Food Manufacturing |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 2053 | Frozen Bakery Products, Except Bread | 311813 | Frozen Cakes, Pies, and Other Pastries Manufacturing |
| 2061 | Cane Sugar, Except Refining | 311314 | Cane Sugar Manufacturing |
| 2062 | Cane Sugar Refining | 311314 | Cane Sugar Refining |
| 2063 | Beet Sugar | 311313 | Beet Sugar Manufacturing |
| 2064 | Candy and Other Confectionery Products | 311340 | Nonchocolate Confectionery Manufacturing |
| | | 311352 | Confectionery Manufacturing from Purchased Chocolate |
| 2066 | Chocolate and Cocoa Products | 311351 | Chocolate and Confectionery Manufacturing from Cacao Beans |
| | | 311352 | Confectionery Manufacturing from Purchased Chocolate |
| 2067 | Chewing Gum | 311340 | Nonchocolate Confectionery Manufacturing |
| 2068 | Salted and Roasted Nuts and Seeds | 311911 | Roasted Nuts and Peanut Butter Manufacturing |
| 2074 | Cottonseed Oil Mills | 311224 | Soybean and Other Oilseed Processing |
| | | 311225 | Fats and Oils Refining and Blending |
| 2075 | Soybean Oil Mills | 311224 | Soybean and Other Oilseed Processing |
| | | 311225 | Fats and Oils Refining and Blending |
| 2076 | Vegetable Oil Mills, Except Corn, Cottonseed, and Soybean | 311224 | Soybean and Other Oilseed Processing |
| | | 311225 | Fats and Oils Refining and Blending |
| 2077 | Animal and Marine Fats and Oils | 311613 | Rendering and Meat Byproduct Processing |
| | | 311710 | Seafood Product Preparation and Packaging |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 2079 | Shortening, Table Oils, Margarine, and Other Edible Fats and Oils, Not Elsewhere Classified | 311224 | Soybean and Other Oilseed Processing |
| | | 311225 | Fats and Oils Refining and Blending |
| 2082 | Malt Beverages | 311942 | Spice and Extract Manufacturing |
| | | 312120 | Breweries |
| 2083 | Malt | 311213 | Malt Manufacturing |
| 2084 | Wines, Brandy, and Brandy Spirits | 312130 | Wineries |
| 2085 | Distilled and Blended Liquors | 312130 | Wineries |
| | | 312140 | Distilleries |
| 2086 | Bottled and Canned Soft Drinks and Carbonated Water | 312111 | Soft Drink Manufacturing |
| | | 312112 | Bottled Water Manufacturing |
| 2087 | Flavoring Extracts and Flavoring Syrups, Not Elsewhere Classified | 311920 | Coffee and Tea Manufacturing |
| | | 311930 | Flavoring Syrup and Concentrate Manufacturing |
| | | 311942 | Spice and Extract Manufacturing |
| | | 311999 | All Other Miscellaneous Food Manufacturing |
| 2091 | Canned and Cured Fish and Seafood | 311710 | Seafood Product Preparation and Packaging |
| 2092 | Prepared Fresh or Frozen Fish and Seafood | 311710 | Seafood Product Preparation and Packaging |
| 2095 | Roasted Coffee | 311920 | Coffee and Tea Manufacturing |
| 2096 | Potato Chips, Corn Chips, and Similar Snacks | 311919 | Other Snack Food Manufacturing |
| 2097 | Manufactured Ice | 312113 | Ice Manufacturing |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 2098 | Macaroni, Spaghetti, Vermicelli, and Noodles | 311824 | Dry Pasta, Dough, and Flour Mixes Manufacturing from Purchased Flour |
| 2099 | Food Preparations, Not Elsewhere Classified | 111998 | All Other Miscellaneous Crop Farming |
| | | 311212 | Rice Milling |
| | | 311340 | Nonchocolate Confectionery Manufacturing |
| | | 311423 | Dried and Dehydrated Food Manufacturing |
| | | 311824 | Dry Pasta, Dough, and Flour Mixes Manufacturing from Purchased Flour |
| | | 311830 | Tortilla Manufacturing |
| | | 311911 | Roasted Nuts and Peanut Butter Manufacturing |
| | | 311920 | Coffee and Tea Manufacturing |
| | | 311941 | Mayonnaise, Dressing, and Other Prepared Sauce Manufacturing |
| | | 311942 | Spice and Extract Manufacturing |
| | | 311991 | Perishable Prepared Food Manufacturing |
| | | 311999 | All Other Miscellaneous Food Manufacturing |
| 2111 | Cigarettes | 312230 | Tobacco Manufacturing |
| 2121 | Cigars | 312230 | Tobacco Manufacturing |
| 2131 | Chewing and Smoking Tobacco and Snuff | 312230 | Tobacco Manufacturing |
| 2141 | Tobacco Stemming and Redrying | 312230 | Tobacco Manufacturing |

**SECTOR V: TEXTILE MILLS, APPAREL, AND OTHER FABRIC PRODUCT MANUFACTURING FACILITIES**

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 2211 | Broadwoven Fabric Mills, Cotton | 313210 | Broadwoven Fabric Mills |
| 2221 | Broadwoven Fabric Mills, Manmade Fiber and Silk | 313210 | Broadwoven Fabric Mills |
| 2231 | Broadwoven Fabric Mills, Wool (including dyeing and finishing) | 313210 | Broadwoven Fabric Mills |
| | | 313310 | Textile and Fabric Finishing Mills |
| 2241 | Narrow Fabric and Other Smallware Mills: Cotton, Wool, Silk and Manmade Fiber | 313220 | Narrow Fabric Mills and Schiffli Machine Embroidery |
| 2251 | Women's Full-Length and Knee-Length Hosiery, Except Socks | 313310 | Textile and Fabric Finishing Mills |
| | | 315110 | Hosiery and Sock Mills |
| 2252 | Hosiery, Not Elsewhere Classified | 313310 | Textile and Fabric Finishing Mills |
| | | 315110 | Hosiery and Sock Mills |
| 2253 | Knit Outerwear Mills | 313310 | Textile and Fabric Finishing Mills |
| | | 315190 | Other Apparel Knitting Mills |
| 2254 | Knit Underwear and Nightwear Mills | 313310 | Textile and Fabric Finishing Mills |
| | | 315190 | Other Apparel Knitting Mills |
| 2257 | Weft Knit Fabric Mills | 313240 | Knit Fabric Mills |
| | | 313310 | Textile and Fabric Finishing Mills |
| 2258 | Lace and Warp Knit Fabric Mills | 313240 | Knit Fabric Mills |
| | | 313310 | Textile and Fabric Finishing Mills |
| 2259 | Knitting Mills, Not Elsewhere Classified | 315190 | Other Apparel Knitting Mills |
| | | 313240 | Knit Fabric Mills |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| | | 313310 | Textile and Fabric Finishing Mills |
| 2261 | Finishers of Broadwoven Fabrics of Cotton | 313310 | Textile and Fabric Finishing Mills |
| 2262 | Finishers of Broadwoven Fabrics of Manmade Fibers and Silk | 313310 | Textile and Fabric Finishing Mills |
| 2269 | Finishers of Textiles, Not Elsewhere Classified | 313310 | Textile and Fabric Finishing Mills |
| 2273 | Carpets and Rugs | 314110 | Carpet and Rug Mills |
| 2281 | Yarn Spinning Mills | 313110 | Fiber, Yarn, and Thread Mills |
| 2282 | Yarn Texturizing, Throwing, Twisting and Winding Mills | 313110 | Fiber, Yarn, and Thread Mills |
| 2284 | Thread Mills | 313110 | Fiber, Yarn, and Thread Mills |
| | | 313310 | Textile and Fabric Finishing Mills |
| 2295 | Coated Fabrics, Not Rubberized | 313320 | Fabric Coating Mills |
| 2296 | Tire Cord and Fabrics | 314994 | Rope, Cordage, Twine, Tire Cord, and Tire Fabric Mills |
| 2297 | Non-woven Fabrics | 313230 | Nonwoven Fabric Mills |
| 2298 | Cordage and Twine | 313110 | Fiber, Yarn, and Thread Mills |
| | | 314994 | Rope, Cordage, Twine, Tire Cord, and Tire Fabric Mills |
| 2299 | Textile Goods, Not Elsewhere Classified | 313110 | Fiber, Yarn, and Thread Mills |
| | | 313210 | Broadwoven Fabric Mills |
| | | 313220 | Narrow Fabric Mills and Schiffli Machine Embroidery |
| | | 313230 | Nonwoven Fabric Mills |
| | | 313310 | Textile and Fabric Finishing Mills |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| | | 314999 | All Other Miscellaneous Textile Product Mills |
| 2311 | Men’s and Boys’ Suits, Coats, and Overcoats | 314999 | All Other Miscellaneous Textile Product Mills |
| | | 315210 | Cut and Sew Apparel Contractors |
| | | 315220 | Men's and Boys' Cut and Sew Apparel Manufacturing |
| 2321 | Men’s and Boys’ Shirts, Except Work Shirts | 314999 | All Other Miscellaneous Textile Product Mills |
| | | 315210 | Cut and Sew Apparel Contractors |
| | | 315220 | Men's and Boys' Cut and Sew Apparel Manufacturing |
| 2322 | Men’s and Boys’ Underwear and Nightwear | 314999 | All Other Miscellaneous Textile Product Mills |
| | | 315210 | Cut and Sew Apparel Contractors |
| | | 315220 | Men's and Boys' Cut and Sew Apparel Manufacturing |
| 2323 | Men's and Boys' Neckwear | 314999 | All Other Miscellaneous Textile Product Mills |
| | | 315210 | Cut and Sew Apparel Contractors |
| | | 315990 | Apparel Accessories and Other Apparel Manufacturing |
| 2325 | Men’s and Boys’ Separate Trousers and Slacks | 314999 | All Other Miscellaneous Textile Product Mills |
| | | 315210 | Cut and Sew Apparel Contractors |
| | | 315220 | Men's and Boys' Cut and Sew Apparel Manufacturing |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 2326 | Men's and Boys' Work Clothing | 314999 | All Other Miscellaneous Textile Product Mills |
| | | 315210 | Cut and Sew Apparel Contractors |
| | | 315220 | Men's and Boys' Cut and Sew Apparel Manufacturing |
| 2329 | Men's and Boys' Clothing, Not Elsewhere Classified | 314999 | All Other Miscellaneous Textile Product Mills |
| | | 315210 | Cut and Sew Apparel Contractors |
| | | 315220 | Men's and Boys' Cut and Sew Apparel Manufacturing |
| | | 315280 | Other Cut and Sew Apparel Manufacturing |
| 2331 | Women's, Misses', and Juniors' Blouses and Shirts | 314999 | All Other Miscellaneous Textile Product Mills |
| | | 315210 | Cut and Sew Apparel Contractors |
| | | 315240 | Women's, Girls', and Infants' Cut and Sew Apparel Manufacturing |
| 2335 | Women's, Misses', and Juniors' Dresses | 314999 | All Other Miscellaneous Textile Product Mills |
| | | 315210 | Cut and Sew Apparel Contractors |
| | | 315240 | Women's, Girls', and Infants' Cut and Sew Apparel Manufacturing |
| 2337 | Women's, Misses', and Juniors' Suits, Skirts, and Coats | 314999 | All Other Miscellaneous Textile Product Mills |
| | | 315210 | Cut and Sew Apparel Contractors |
| | | 315240 | Women's, Girls', and Infants' Cut and Sew Apparel Manufacturing |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 2339 | Women's, Misses', and Juniors' Outerwear, Not Elsewhere Classified | 314999 | All Other Miscellaneous Textile Product Mills |
| | | 315210 | Cut and Sew Apparel Contractors |
| | | 315240 | Women's, Girls', and Infants' Cut and Sew Apparel Manufacturing |
| | | 315280 | Other Cut and Sew Apparel Manufacturing |
| | | 315990 | Apparel Accessories and Other Apparel Manufacturing |
| 2341 | Women's, Misses', Children's, and Infants' Underwear and Nightwear | 314999 | All Other Miscellaneous Textile Product Mills |
| | | 315210 | Cut and Sew Apparel Contractors |
| | | 315220 | Men's and Boys' Cut and Sew Apparel Manufacturing |
| | | 315240 | Women's, Girls', and Infants' Cut and Sew Apparel Manufacturing |
| 2342 | Brassieres, Girdles, and Allied Garments | 314999 | All Other Miscellaneous Textile Product Mills |
| | | 315210 | Cut and Sew Apparel Contractors |
| | | 315240 | Women's, Girls', and Infants' Cut and Sew Apparel Manufacturing |
| 2353 | Hats, Caps, and Millinery | 314999 | All Other Miscellaneous Textile Product Mills |
| | | 315210 | Cut and Sew Apparel Contractors |
| | | 315990 | Apparel Accessories and Other Apparel Manufacturing |
| 2361 | Girls', Children's, and Infants' Dresses, Blouses, and Shirts | 314999 | All Other Miscellaneous Textile Product Mills |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| | | 315210 | Cut and Sew Apparel Contractors |
| | | 315220 | Men's and Boys' Cut and Sew Apparel Manufacturing |
| | | 315240 | Women's, Girls', and Infants' Cut and Sew Apparel Manufacturing |
| 2369 | Girls', Children's, and Infants' Outerwear, Not Elsewhere Classified | 314999 | All Other Miscellaneous Textile Product Mills |
| | | 315210 | Cut and Sew Apparel Contractors |
| | | 315220 | Men's and Boys' Cut and Sew Apparel Manufacturing |
| | | 315240 | Women's, Girls', and Infants' Cut and Sew Apparel Manufacturing |
| 2371 | Fur Goods | 314999 | All Other Miscellaneous Textile Product Mills |
| | | 315210 | Cut and Sew Apparel Contractors |
| | | 315280 | Other Cut and Sew Apparel Manufacturing |
| 2381 | Dress and Work Gloves, Excludes Knit and All-Leather | 314999 | All Other Miscellaneous Textile Product Mills |
| | | 315210 | Cut and Sew Apparel Contractors |
| | | 315990 | Apparel Accessories and Other Apparel Manufacturing |
| 2384 | Robes and Dressing Gowns | 314999 | All Other Miscellaneous Textile Product Mills |
| | | 315210 | Cut and Sew Apparel Contractors |
| | | 315220 | Men's and Boys' Cut and Sew Apparel Manufacturing |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| | | 315240 | Women's, Girls', and Infants' Cut and Sew Apparel Manufacturing |
| 2385 | Waterproof Outerwear | 314999 | All Other Miscellaneous Textile Product Mills |
| | | 315210 | Cut and Sew Apparel Contractors |
| | | 315220 | Men's and Boys' Cut and Sew Apparel Manufacturing |
| | | 315240 | Women's, Girls', and Infants' Cut and Sew Apparel Manufacturing |
| | | 315280 | Other Cut and Sew Apparel Manufacturing |
| | | 315990 | Apparel Accessories and Other Apparel Manufacturing |
| 2386 | Leather and Sheep-Lined Clothing | 314999 | All Other Miscellaneous Textile Product Mills |
| | | 315210 | Cut and Sew Apparel Contractors |
| | | 315280 | Other Cut and Sew Apparel Manufacturing |
| 2387 | Apparel Belts | 314999 | All Other Miscellaneous Textile Product Mills |
| | | 315210 | Cut and Sew Apparel Contractors |
| | | 315990 | Apparel Accessories and Other Apparel Manufacturing |
| 2389 | Apparel and Accessories, Not Elsewhere Classified | 314999 | All Other Miscellaneous Textile Product Mills |
| | | 315210 | Cut and Sew Apparel Contractors |
| | | 315240 | Women's, Girls', and Infants' Cut and Sew Apparel Manufacturing |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| | | 315280 | Other Cut and Sew Apparel Manufacturing |
| | | 315990 | Apparel Accessories and Other Apparel Manufacturing |
| 2391 | Curtains and Draperies | 314120 | Curtain and Linen Mills |
| 2392 | House furnishings, Except Curtains and Draperies | 314120 | Curtain and Linen Mills |
| | | 314910 | Textile Bag and Canvas Mills |
| | | 314999 | All Other Miscellaneous Textile Product Mills |
| | | 339994 | Broom, Brush, and Mop Manufacturing |
| 2393 | Textile Bags | 314910 | Textile Bag and Canvas Mills |
| 2394 | Canvas and Related Products | 314910 | Textile Bag and Canvas Mills |
| 2395 | Pleating, Decorative and Novelty Stitching, and Tucking for the Trade | 314999 | All Other Miscellaneous Textile Product Mills |
| | | 315210 | Cut and Sew Apparel Contractors |
| 2396 | Automotive Trimmings, Apparel Findings, and Related Products | 314999 | All Other Miscellaneous Textile Product Mills |
| | | 315210 | Cut and Sew Apparel Contractors |
| | | 315990 | Apparel Accessories and Other Apparel Manufacturing |
| | | 323113 | Commercial Screen Printing |
| | | 336360 | Motor Vehicle Seating and Interior Trim Manufacturing |
| 2397 | Schiffli Machine Embroideries | 313220 | Narrow Fabric Mills and Schiffli Machine Embroidery |
| 2399 | Fabricated Textile Products, Not Elsewhere Classified | 314999 | All Other Miscellaneous Textile Product Mills |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| | | 315210 | Cut and Sew Apparel Contractors |
| | | 315990 | Apparel Accessories and Other Apparel Manufacturing |
| | | 336360 | Motor Vehicle Seating and Interior Trim Manufacturing |
| 3131 | Boot and Shoe Cut Stock and Findings | 316998 | All Other Leather Good and Allied Product Manufacturing |
| | | 321999 | All Other Miscellaneous Wood Product Manufacturing |
| | | 339993 | Fastener, Button, Needle, and Pin Manufacturing |
| 3142 | House Slippers | 316210 | Footwear Manufacturing |
| 3143 | Men's Footwear, Except Athletic | 316210 | Footwear Manufacturing |
| 3144 | Women's Footwear, Except Athletic | 316210 | Footwear Manufacturing |
| 3149 | Footwear, Except Rubber, Not Elsewhere Classified | 316210 | Footwear Manufacturing |
| 3151 | Leather Gloves and Mittens | 314999 | All Other Miscellaneous Textile Product Mills |
| | | 315210 | Cut and Sew Apparel Contractors |
| | | 315990 | Apparel Accessories and Other Apparel Manufacturing |
| 3161 | Luggage | 316998 | All Other Leather Good and Allied Product Manufacturing |
| 3171 | Women's Handbags and Purses | 316992 | Women's Handbag and Purse Manufacturing |
| 3172 | Personal Leather Goods, Except Women's Handbags and Purses | 316998 | All Other Leather Good and Allied Product Manufacturing |
| | | 339910 | Jewelry and Silverware Manufacturing |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 3199 | Leather Goods, Not Elsewhere Classified | 316998 | All Other Leather Good and Allied Product Manufacturing |

**SECTOR W: FURNITURE AND FIXTURES**

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 2434 | Wood Kitchen Cabinets | 337110 | Wood Kitchen Cabinet and Countertop Manufacturing |
| 2511 | Wood Household Furniture, Except Upholstered | 337122 | Non-upholstered Wood Household Furniture Manufacturing |
| | | 337215 | Showcase, Partition, Shelving, and Locker Manufacturing |
| 2512 | Wood Household Furniture, Upholstered | 337121 | Upholstered Household Furniture Manufacturing |
| 2514 | Metal Household Furniture | 337121 | Upholstered Household Furniture Manufacturing |
| | | 337124 | Metal Household Furniture Manufacturing |
| | | 337215 | Showcase, Partition, Shelving, and Locker Manufacturing |
| 2515 | Mattresses, Foundations, and Convertible Beds | 337121 | Upholstered Household Furniture Manufacturing |
| | | 337910 | Mattress Manufacturing |
| 2517 | Wood Television, Radio, Phonograph, and Sewing Machine Cabinets | 321999 | All Other Miscellaneous Wood Product Manufacturing |
| 2519 | Household Furniture, Not Elsewhere Classified | 337125 | Household Furniture (except Wood and Metal) Manufacturing |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 2521 | Wood Office Furniture | 337211 | Wood Office Furniture Manufacturing |
| 2522 | Office Furniture, Except Wood | 337214 | Office Furniture (Except Wood) Manufacturing |
| 2531 | Public Building and Related Furniture | 336360 | Motor Vehicle Seating and Interior Trim Manufacturing |
| | | 337127 | Institutional Furniture Manufacturing |
| | | 339940 | Office Supplies (except Paper) Manufacturing |
| 2541 | Wood Office and Store Fixtures, Partitions, Shelving, and Lockers | 337110 | Wood Kitchen Cabinet and Countertop Manufacturing |
| | | 337127 | Institutional Furniture Manufacturing |
| | | 337212 | Custom Architectural Woodwork and Millwork Manufacturing |
| | | 337215 | Showcase, Partition, Shelving, and Locker Manufacturing |
| 2542 | Office and Store Fixtures, Partitions, Shelving, and Lockers, Except Wood | 337127 | Institutional Furniture Manufacturing |
| | | 337215 | Showcase, Partition, Shelving, and Locker Manufacturing |
| 2591 | Drapery Hardware and Window Blinds and Shades | 337920 | Blind and Shade Manufacturing |
| 2599 | Furniture and Fixtures, Not Elsewhere Classified | 333249 | Other Industrial Machinery Manufacturing |
| | | 333415 | Air-Conditioning and Warm Air Heating Equipment and Commercial and Industrial Refrigeration Equipment Manufacturing |
| | | 333994 | Industrial Process Furnace and Oven Manufacturing |
| | | 333997 | Scale and Balance Manufacturing |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| | | 333999 | All Other Miscellaneous General Purpose Machinery Manufacturing |
| | | 337127 | Institutional Furniture Manufacturing |
| | | 339113 | Surgical Appliance and Supplies Manufacturing |

**SECTOR X: PRINTING AND PUBLISHING**

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 2711 | Newspapers: Publishing, or Publishing and Printing | 511110 | Newspaper Publishers (or publishing combined with printing, excludes exclusive Internet publishing) |
| 2721 | Periodicals: Publishing, or Publishing and Printing | 511120 | Periodical Publishers (or publishing combined with printing, excludes exclusive Internet publishing) |
| 2731 | Books: Publishing, or Publishing and Printing | 511130 | Book Publishers |
| | | 512230 | Music Publishers |
| 2732 | Book Printing | 323117 | Books Printing |
| 2741 | Miscellaneous Publishing | 511120 | Periodical Publishers |
| | | 511130 | Book Publishers |
| | | 511140 | Directory and Mailing List Publishers |
| | | 511199 | All Other Publishers |
| | | 512230 | Music Publishers |
| 2752 | Commercial Printing, Lithographic | 323111 | Commercial Printing (except Screen and Books) |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 2754 | Commercial Printing, Gravure | 323111 | Commercial Printing (except Screen and Books) |
| 2759 | Commercial Printing, Not Elsewhere Classified | 323111 | Commercial Printing (except Screen and Books) |
| | | 323113 | Commercial Screen Printing |
| 2761 | Manifold Business Forms | 323111 | Commercial Printing (except Screen and Books) |
| 2771 | Greeting Cards | 323111 | Commercial Printing (except Screen and Books) |
| | | 323113 | Commercial Screen Printing |
| | | 511191 | Greeting Card Publishers |
| 2782 | Blankbooks, Looseleaf Binders and Devices | 323111 | Commercial Printing (except Screen and Books) |
| 2789 | Bookbinding and Related Work | 323120 | Support Activities for Printing |
| 2791 | Typesetting | 323120 | Support Activities for Printing |
| 2796 | Platemaking and Related Services | 323120 | Support Activities for Printing |

**SECTOR Y: RUBBER, MISCELLANEOUS PLASTIC PRODUCTS, AND MISCELLANEOUS MANUFACTURING FACILITIES**

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 3011 | Tires and Inner Tubes | 326211 | Tire Manufacturing (except Retreading) |
| 3021 | Rubber and Plastics Footwear | 316210 | Footwear Manufacturing |
| 3052 | Rubber and Plastics Hose and Belting | 326220 | Rubber and Plastics Hoses and Belting Manufacturing |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 3053 | Gaskets, Packing, and Sealing Devices | 339991 | Gaskets, Packing, and Sealing Device Manufacturing |
| 3061 | Molded, Extruded, and Lathe-Cut Mechanical Rubber Goods | 326291 | Rubber Product Manufacturing for Mechanical Use |
| | | 326299 | All Other Rubber Product Manufacturing |
| 3069 | Fabricated Rubber Products, Not Elsewhere Classified | 313320 | Fabric Coating Mills |
| | | 314910 | Textile Bag and Canvas Mills |
| | | 315280 | All Other Cut and Sew Apparel Manufacturing |
| | | 315990 | Apparel Accessories and Other Apparel Manufacturing |
| | | 326199 | All Other Plastics Product Manufacturing |
| | | 326299 | All Other Rubber Product Manufacturing |
| | | 336612 | Boat Building |
| | | 339113 | Surgical Appliance and Supplies Manufacturing |
| | | 339920 | Sporting and Athletic Goods Manufacturing |
| | | 339930 | Doll, Toy, and Game Manufacturing |
| 3081 | Unsupported Plastics Film and Sheet | 326113 | Unlaminated Plastics Film and Sheet (except Packaging) Manufacturing |
| 3082 | Unsupported Plastics Profile Shapes | 326121 | Unlaminated Plastics Profile Shape Manufacturing |
| 3083 | Laminated Plastics Plate, Sheet, and Profile Shapes | 326130 | Laminated Plastics Plate, Sheet (except Packaging), and Shape Manufacturing |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 3084 | Plastics Pipe | 326122 | Plastics Pipe and Pipe Fitting Manufacturing |
| 3085 | Plastics Bottles | 326160 | Plastics Bottle Manufacturing |
| 3086 | Plastics Foam Products | 326140 | Polystyrene Foam Product Manufacturing |
| | | 326150 | Urethane and Other Foam Product (except Polystyrene) Manufacturing |
| 3087 | Custom Compounding of Purchased Plastics Resins | 325991 | Custom Compounding of Purchased Resins |
| 3088 | Plastics Plumbing Fixtures | 326191 | Plastics Plumbing Fixture Manufacturing |
| 3089 | Plastics Products, Not Elsewhere Classified | 326121 | Unlaminated Plastics Profile Shape Manufacturing |
| | | 326122 | Plastics Pipe and Pipe Fitting Manufacturing |
| | | 326199 | All Other Plastics Product Manufacturing |
| | | 336612 | Boat Building |
| | | 337215 | Showcase, Partition, Shelving, and Locker Manufacturing |
| | | 339113 | Surgical Appliance and Supplies Manufacturing |
| 3931 | Musical Instruments | 339992 | Musical Instrument Manufacturing |
| 3942 | Dolls and Stuffed Toys | 339930 | Doll, Toy, and Game Manufacturing |
| 3944 | Games, Toys, and Children's Vehicles, Excludes Dolls and Bicycles | 336991 | Motorcycle, Bicycle, and Parts Manufacturing |
| | | 339930 | Doll, Toy, and Game Manufacturing |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 3949 | Sporting and Athletic Goods, Not Elsewhere Classified | 339920 | Sporting and Athletic Goods Manufacturing |
| 3951 | Pens, Mechanical Pencils, and Parts | 339940 | Office Supplies (except Paper) Manufacturing |
| 3953 | Marking Devices | 339940 | Office Supplies (except Paper) Manufacturing |
| 3955 | Carbon Paper and Inked Ribbons | 339940 | Office Supplies (except Paper) Manufacturing |
| 3961 | Costume Jewelry and Costume Novelties (Except Precious Metal) | 339910 | Jewelry and Silverware Manufacturing |
| | | 339993 | Fastener, Button, Needle, and Pin Manufacturing |
| 3965 | Fasteners, Buttons, Needles, and Pins | 339993 | Fastener, Button, Needle, and Pin Manufacturing |
| 3991 | Brooms and Brushes | 339994 | Broom, Brush, and Mop Manufacturing |
| 3993 | Signs and Advertising Specialties | 323113 | Commercial Screen Printing |
| | | 339950 | Sign Manufacturing |
| 3995 | Burial Caskets | 339995 | Burial Casket Manufacturing |
| 3996 | Linoleum, Asphalted-Felt-Base, and Other Hard Surface Floor Coverings, Not Elsewhere Classified | 326199 | All Other Plastics Product Manufacturing |
| 3999 | Manufacturing Industries, Not Elsewhere Classified | 316110 | Leather and Hide Tanning and Finishing |
| | | 321999 | All Other Miscellaneous Wood Product Manufacturing |
| | | 325998 | All Other Miscellaneous Chemical Product and Preparation Manufacturing |
| | | 326199 | All Other Plastics Product Manufacturing |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 3999 | Manufacturing Industries, Not Elsewhere Classified | 332215 | Metal Kitchen Cookware, Utensil, Cutlery, and Flatware (except Precious) Manufacturing |
| | | 332216 | Saw Blade and Handtool Manufacturing |
| | | 332812 | Metal Coating, Engraving (except Jewelry and Silverware), and Allied Services to Manufacturers |
| | | 332999 | All Other Miscellaneous Fabricated Metal Product Manufacturing |
| | | 333318 | Other Commercial and Service Industry Machinery Manufacturing |
| | | 335121 | Residential Electric Lighting Fixture Manufacturing |
| | | 335210 | Small Electrical Appliance Manufacturing |
| | | 336612 | Boat Building |
| | | 337127 | Institutional Furniture Manufacturing |
| | | 339930 | Doll, Toy, and Game Manufacturing |
| | | 339999 | All Other Miscellaneous Manufacturing |

**SECTOR Z: LEATHER TANNING AND FINISHING**

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 3111 | Leather Tanning and Finishing | 316110 | Leather and Hide Tanning and Finishing |

## SECTOR AA: FABRICATED METAL PRODUCTS FACILITIES

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 3411 | Metal Cans | 332431 | Metal Can Manufacturing |
| 3412 | Metal Shipping Barrels, Drums, Kegs, and Pails | 332439 | Other Metal Container Manufacturing |
| 3421 | Cutlery | 332215 | Metal Kitchen Cookware, Utensil, Cutlery, and Flatware (except Precious) Manufacturing |
| | | 332216 | Saw Blade and Handtool Manufacturing |
| 3423 | Hand and Edge Tools, Excludes Machine Tools and Handsaws | 332216 | Saw Blade and Handtool Manufacturing |
| 3425 | Saw Blades and Handsaws | 332216 | Saw Blade and Handtool Manufacturing |
| 3429 | Hardware, Not Elsewhere Classified | 332439 | Other Metal Container Manufacturing |
| | | 332510 | Hardware Manufacturing |
| | | 332722 | Bolt, Nut, Screw, Rivet, and Washer Manufacturing |
| | | 332919 | Other Metal Valve and Pipe Fitting Manufacturing |
| | | 332999 | All Other Miscellaneous Fabricated Metal Product Manufacturing |
| | | 333923 | Overhead Traveling Crane, Hoist, and Monorail System Manufacturing |
| | | 334519 | Other Measuring and Controlling Device Manufacturing |
| | | 336390 | Other Motor Vehicle Parts Manufacturing |
| | | 337215 | Showcase, Partition, Shelving, and Locker Manufacturing |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 3431 | Enameled Iron and Metal Sanitary Ware | 332999 | All Other Miscellaneous Fabricated Metal Product Manufacturing |
| 3432 | Plumbing Fixture Fittings and Trim | 332913 | Plumbing Fixture Fitting and Trim Manufacturing |
| | | 332919 | Other Metal Valve and Pipe Fitting Manufacturing |
| | | 332999 | All Other Miscellaneous Fabricated Metal Product Manufacturing |
| 3433 | Heating Equipment, Except Electric and Warm Air Furnaces | 333414 | Heating Equipment (except Warm Air Furnaces) Manufacturing |
| 3441 | Fabricated Structural Metal | 332312 | Fabricated Structural Metal Manufacturing |
| 3442 | Metal Doors, Sash, Frames, Molding, and Trim Manufacturing | 332321 | Metal Window and Door Manufacturing |
| 3443 | Fabricated Plate Work (Boiler Shops) | 332313 | Plate Work Manufacturing |
| | | 332410 | Power Boiler and Heat Exchanger Manufacturing |
| | | 332420 | Metal Tank (Heavy Gauge) Manufacturing |
| | | 333415 | Air-Conditioning and Warm Air Heating Equipment and Commercial and Industrial Refrigeration Equipment Manufacturing |
| 3444 | Sheet Metal Work | 332321 | Metal Window and Door Manufacturing |
| | | 332322 | Sheet Metal Work Manufacturing |
| | | 332439 | Other Metal Container Manufacturing |
| | | 333415 | Air-Conditioning and Warm Air Heating Equipment and Commercial and Industrial Refrigeration Equipment Manufacturing |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 3446 | Architectural and Ornamental Metal Work | 332323 | Ornamental and Architectural Metal Work Manufacturing |
| 3448 | Prefabricated Metal Buildings and Components | 332311 | Prefabricated Metal Building and Component Manufacturing |
| 3449 | Miscellaneous Structural Metal Work | 332114 | Custom Roll Forming |
| | | 332312 | Fabricated Structural Metal Manufacturing |
| | | 332323 | Ornamental and Architectural Metal Work Manufacturing |
| 3451 | Screw Machine Products | 332721 | Precision Turned Product Manufacturing |
| 3452 | Bolts, Nuts, Screws, Rivets, and Washers | 332722 | Bolt, Nut, Screw, Rivet, and Washer Manufacturing |
| 3462 | Iron and Steel Forgings | 332111 | Iron and Steel Forging |
| 3463 | Nonferrous Forgings | 332112 | Nonferrous Forging |
| 3465 | Automotive Stampings | 336370 | Motor Vehicle Metal Stamping |
| 3466 | Crowns and Closures | 332119 | Metal Crown, Closure, and Other Metal Stamping (except Automotive) |
| 3469 | Metal Stampings, Not Elsewhere Classified | 332119 | Metal Crown, Closure, and Other Metal Stamping (except Automotive) |
| | | 332215 | Metal Kitchen Cookware, Utensil, Cutlery, and Flatware (except Precious) Manufacturing |
| | | 332439 | Other Metal Container Manufacturing |
| 3471 | Electroplating, Plating, Polishing, Anodizing, and Coloring | 332813 | Electroplating, Plating, Polishing, Anodizing, and Coloring |
| 3479 | Coating, Engraving, and Allied Services, Not Elsewhere Classified | 332812 | Metal Coating, Engraving (except Jewelry and Silverware), and Allied Services to Manufacturers |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| | | 339910 | Jewelry and Silverware Manufacturing |
| 3482 | Small Arms Ammunition | 332992 | Small Arms Ammunition Manufacturing |
| 3483 | Ammunition, Excepts for Small Arms | 332993 | Ammunition (except Small Arms) Manufacturing |
| 3484 | Small Arms | 332994 | Small Arms, Ordnance, and Ordnance Accessories Manufacturing |
| 3489 | Ordnance and Accessories, Not Elsewhere Classified | 332994 | Small Arms, Ordnance, and Ordnance Accessories Manufacturing |
| 3491 | Industrial Valves | 332911 | Industrial Valve Manufacturing |
| 3492 | Fluid Power Valves and Hose Fittings | 332912 | Fluid Power Valve and Hose Fitting Manufacturing |
| 3493 | Steel Springs, Except Wire | 332613 | Spring Manufacturing |
| 3494 | Valves and Pipe Fittings, Not Elsewhere Classified | 332919 | Other Metal Valve and Pipe Fitting Manufacturing |
| | | 332999 | All Other Miscellaneous Fabricated Metal Product Manufacturing |
| 3495 | Wire Springs | 332613 | Spring Manufacturing |
| | | 334519 | Other Measuring and Controlling Device Manufacturing |
| 3496 | Miscellaneous Fabricated Wire Products | 332215 | Metal Kitchen Cookware, Utensil, Cutlery, and Flatware (except Precious) Manufacturing |
| | | 332618 | Other Fabricated Wire Product Manufacturing |
| | | 333924 | Industrial Truck, Tractor, Trailer, and Stacker Machinery Manufacturing |
| 3497 | Metal Foil and Leaf | 322220 | Paper Bag and Coated and Treated Paper Manufacturing |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| | | 332999 | All Other Miscellaneous Fabricated Metal Product Manufacturing |
| 3498 | Fabricated Pipe and Pipe Fittings | 332996 | Fabricated Pipe and Pipe Fitting Manufacturing |
| 3499 | Fabricated Metal Products, Not Elsewhere Classified | 332117 | Powder Metallurgy Part Manufacturing |
| | | 332439 | Other Metal Container Manufacturing |
| | | 332510 | Hardware Manufacturing |
| | | 332919 | Other Metal Valve and Pipe Fitting Manufacturing |
| | | 332999 | All Other Miscellaneous Fabricated Metal Product Manufacturing |
| 3499 | Fabricated Metal Products, Not Elsewhere Classified | 336360 | Motor Vehicle Seating and Interior Trim Manufacturing |
| | | 337215 | Showcase, Partition, Shelving, and Locker Manufacturing |
| 3911 | Jewelry, Precious Metal | 339910 | Jewelry and Silverware Manufacturing |
| 3914 | Silverware, Plated Ware, and Stainless Steel Ware | 332215 | Metal Kitchen Cookware, Utensil, Cutlery, and Flatware (except Precious) Manufacturing |
| | | 332999 | All Other Miscellaneous Fabricated Metal Product Manufacturing |
| | | 339910 | Jewelry and Silverware Manufacturing |
| 3915 | Jewelers' Findings and Materials, and Lapidary Work | 334519 | Other Measuring and Controlling Device Manufacturing |
| | | 339910 | Jewelry and Silverware Manufacturing |

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

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 3511 | Steam, Gas, and Hydraulic Turbines, and Turbine Generator Set Units | 333611 | Turbine and Turbine Generator Set Units Manufacturing |
| 3519 | Internal Combustion Engines, Not Elsewhere Classified | 333618 | Other Engine Equipment Manufacturing |
| | | 336390 | Other Motor Vehicle Parts Manufacturing |
| 3523 | Farm Machinery and Equipment | 332216 | Saw Blade and Handtool Manufacturing |
| | | 332323 | Ornamental and Architectural Metal Work Manufacturing |
| | | 333111 | Farm Machinery and Equipment Manufacturing |
| | | 333922 | Conveyor and Conveying Equipment Manufacturing |
| 3524 | Lawn and Garden Tractors and Home Lawn and Garden Equipment | 332216 | Saw Blade and Handtool Manufacturing |
| | | 333112 | Lawn and Garden Tractor and Home Lawn and Garden Equipment Manufacturing |
| 3531 | Construction Machinery and Equipment | 333120 | Construction Machinery Manufacturing |
| | | 333923 | Overhead Traveling Crane, Hoist, and Monorail System Manufacturing |
| | | 336510 | Railroad Rolling Stock Manufacturing |
| 3532 | Mining Machinery and Equipment, Except Oil and Gas Field Machinery and Equipment | 333131 | Mining Machinery and Equipment Manufacturing |
| 3533 | Oil and Gas Field Machinery and Equipment | 333132 | Oil and Gas Field Machinery and Equipment Manufacturing |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 3534 | Elevators and Moving Stairways | 333921 | Elevators and Moving Stairway Manufacturing |
| 3535 | Conveyors and Conveying Equipment | 333922 | Conveyors and Conveying Equipment Manufacturing |
| 3536 | Overhead Traveling Cranes, Hoists, and Monorail Systems | 333923 | Overhead Traveling Cranes, Hoists, and Monorail System Manufacturing |
| 3537 | Industrial Trucks, Tractors, Trailers, and Stackers | 332439 | Other Metal Container Manufacturing |
| | | 332999 | All Other Miscellaneous Fabricated Metal Product Manufacturing |
| | | 333924 | Industrial Truck, Tractor, Trailer, and Stacker Machinery Manufacturing |
| 3541 | Machine Tools, Metal Cutting Types | 333517 | Machine Tool Manufacturing |
| 3542 | Machine Tools, Metal Forming Types | 333517 | Machine Tool Manufacturing |
| 3543 | Industrial Patterns | 332999 | All Other Miscellaneous Fabricated Metal Product Manufacturing |
| 3544 | Special Dies and Tools, Die Sets, Jigs and Fixtures, and Industrial Molds | 333511 | Industrial Mold Manufacturing |
| | | 333514 | Special Die and Tool, Die Set, Jig, and Fixture Manufacturing |
| 3545 | Cutting Tools, Machine Tool Accessories, and Machinists' Precision Measuring Devices | 332216 | Saw Blade and Handtool Manufacturing |
| | | 333515 | Cutting Tool and Machine Tool Accessory Manufacturing |
| 3546 | Power-Driven Hand Tools | 333991 | Power-Driven Handtool Manufacturing |
| 3547 | Rolling Mill Machinery and Equipment | 333519 | Rolling Mill and Other Metalworking Machinery Manufacturing |
| 3548 | Electric and Gas Welding and Soldering Equipment | 333992 | Welding and Soldering Equipment Manufacturing |
| | | 335311 | Power, Distribution, and Specialty Transformer Manufacturing |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 3549 | Metalworking Machinery, Not Elsewhere Classified | 333519 | Rolling Mill and Other Metalworking Machinery Manufacturing |
| 3552 | Textile Machinery | 333249 | Other Industrial Machinery Manufacturing |
| 3553 | Woodworking Machinery | 333243 | Sawmill, Woodworking, and Paper Machinery Manufacturing |
| 3554 | Paper Industries Machinery | 333243 | Sawmill, Woodworking, and Paper Machinery Manufacturing |
| 3555 | Printing Trades Machinery and Equipment | 333244 | Printing Machinery and Equipment Manufacturing |
| 3556 | Food Products Machinery | 333241 | Food Product Machinery Manufacturing |
| 3559 | Special Industry Machinery, Not Elsewhere Classified | 332410 | Power Boiler and Heat Exchanger Manufacturing |
| | | 333111 | Farm Machinery and Equipment Manufacturing |
| | | 333242 | Semiconductor Machinery Manufacturing |
| | | 333249 | Other Industrial Machinery Manufacturing |
| | | 333318 | Other Commercial and Service Industry Machinery Manufacturing |
| 3561 | Pumps and Pumping Equipment | 333914 | Measuring, Dispensing, and Other Pumping Equipment Manufacturing |
| 3562 | Ball and Roller Bearings | 332991 | Ball and Roller Bearing Manufacturing |
| 3563 | Air and Gas Compressors | 333912 | Air and Gas Compressor Manufacturing |
| 3564 | Industrial and Commercial Fans and Blowers and Air Purification Equipment | 333413 | Industrial and Commercial Fan and Blower and Air Purification Equipment Manufacturing |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 3565 | Packaging Machinery | 333993 | Packaging Machinery Manufacturing |
| 3566 | Speed Changers, Industrial High-Speed Drives, and Gears | 333612 | Speed Changer, Industrial High-Speed Drives, and Gear Manufacturing |
| 3567 | Industrial Process Furnaces and Ovens | 333994 | Industrial Process Furnace and Oven Manufacturing |
| 3568 | Mechanical Power Transmission Equipment, Not Elsewhere Classified | 333613 | Mechanical Power Transmission Equipment Manufacturing |
| 3569 | General Industrial Machinery and Equipment, Not Elsewhere | 314999 | All Other Miscellaneous Textile Product Mills |
| | | 333414 | Heating Equipment (except Warm Air Furnaces) Manufacturing |
| | | 333999 | All Other Miscellaneous General Purpose Machinery Manufacturing |
| 3581 | Automatic Vending Machines | 333318 | Other Commercial and Service Industry Machinery Manufacturing |
| 3582 | Commercial Laundry, Dry Cleaning, and Pressing Machines | 333318 | Other Commercial and Service Industry Machinery Manufacturing |
| 3585 | Air-Conditioning and Warm Air Heating Equipment and Commercial and Industrial Refrigeration Equipment | 333415 | Air-Conditioning and Warm Air Heating Equipment and Commercial and Industrial Refrigeration Equipment Manufacturing |
| | | 336390 | Other Motor Vehicle Parts Manufacturing |
| 3586 | Measuring and Dispensing Pumps | 333914 | Measuring, Dispensing, and Other Pumping Equipment Manufacturing |
| 3589 | Service Industry Machinery, Not Elsewhere Classified | 333318 | Other Commercial and Service Industry Machinery Manufacturing |
| 3592 | Carburetors, Pistons, Piston Rings, and Valves | 336310 | Motor Vehicle Gasoline Engine and Engine Parts Manufacturing |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 3593 | Fluid Power Cylinders and Actuators | 333995 | Fluid Power Cylinder and Actuator Manufacturing |
| 3594 | Fluid Power Pumps and Motors | 333996 | Fluid Power Pumps and Motor Manufacturing |
| 3596 | Scales and Balances, Except Laboratory | 333997 | Scale and Balance Manufacturing |
| 3599 | Industrial and Commercial Machinery and Equipment, Not Elsewhere Classified | 332710 | Machine Shops |
| | | 332813 | Electroplating, Plating, Polishing, Anodizing and Coloring |
| | | 332999 | All Other Miscellaneous Fabricated Metal Product Manufacturing |
| | | 333318 | Other Commercial and Service Industry Machinery Manufacturing |
| | | 333999 | All Other Miscellaneous General Purpose Machinery Manufacturing |
| | | 334519 | Other Measuring and Controlling Device Manufacturing |
| | | 336390 | All Other Motor Vehicle Parts Manufacturing |
| 3711 | Motor Vehicles and Passenger Car Bodies | 336111 | Automobile Manufacturing |
| | | 336112 | Light Truck and Utility Vehicle Manufacturing |
| | | 336120 | Heavy Duty Truck Manufacturing |
| | | 336211 | Motor Vehicle Body Manufacturing |
| | | 336992 | Military Armored Vehicle, Tank, and Tank Component Manufacturing |
| 3713 | Truck and Bus Bodies | 336211 | Motor Vehicle Body Manufacturing |
| 3714 | Motor Vehicle Parts and Accessories | 336211 | Motor Vehicle Body Manufacturing |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 3714 | Motor Vehicle Parts and Accessories | 336310 | Motor Vehicle Gasoline Engine and Engine Parts Manufacturing |
| | | 336320 | Motor Vehicle Electrical and Electronic Equipment Manufacturing |
| | | 336330 | Motor Vehicle Steering and Suspension Components (except Spring) Manufacturing |
| | | 336340 | Motor Vehicle Brake System Manufacturing |
| | | 336350 | Motor Vehicle Transmission and Power Train Parts Manufacturing |
| | | 336390 | Other Motor Vehicle Parts Manufacturing |
| 3715 | Truck Trailers | 336212 | Truck and Trailer Manufacturing |
| 3716 | Motor Homes | 336213 | Motor Home Manufacturing |
| 3721 | Aircraft | 336411 | Aircraft Manufacturing |
| 3724 | Aircraft Engines and Engine Parts | 336412 | Aircraft Engine and Engine Parts Manufacturing |
| 3728 | Aircraft Parts and Auxiliary Equipment, Not Elsewhere Classified | 332912 | Fluid Power Valve and Hose Fitting Manufacturing |
| | | 336411 | Aircraft Manufacturing |
| | | 336413 | Other Aircraft Part and Auxiliary Equipment Manufacturing |
| 3743 | Railroad Equipment | 333914 | Measuring, Dispensing, and Other Pumping Equipment Manufacturing |
| | | 336510 | Railroad Rolling Stock Manufacturing |
| 3751 | Motorcycles, Bicycles, and Parts | 336991 | Motorcycle, Bicycle, and Parts Manufacturing |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 3761 | Guided Missiles and Space Vehicles | 336414 | Guided Missile and Space Vehicle Manufacturing |
| 3764 | Guided Missile and Space Vehicle Propulsion Units and Propulsion Unit Parts | 336415 | Guided Missile and Space Vehicle Propulsion Unit and Propulsion Unit Parts Manufacturing |
| 3769 | Guided Missile and Space Vehicle Parts and Auxiliary Equipment, Not Elsewhere Classified | 336419 | Other Guided Missile and Space Vehicle Parts and Auxiliary Equipment Manufacturing |
| 3792 | Travel Trailers and Campers | 336214 | Travel Trailer and Camper Manufacturing |
| 3795 | Tanks and Tank Components | 336992 | Military Armored Vehicle, Tank, and Tank Component Manufacturing |
| 3799 | Transportation Equipment, Not Elsewhere Classified | 333924 | Industrial Truck, Tractor, Trailer, and Stacker Machinery Manufacturing |
| | | 336214 | Travel Trailer and Camper Manufacturing |
| | | 336390 | Other Motor Vehicle Parts Manufacturing |
| | | 336999 | All Other Transportation Equipment Manufacturing |

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

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 3571 | Electronic Computers | 334111 | Electronic Computer Manufacturing |
| 3572 | Computer Storage Devices | 334112 | Computer Storage Device Manufacturing |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 3575 | Computer Terminals | 334118 | Computer Terminal and Other Computer Peripheral Equipment Manufacturing |
| 3577 | Computer Peripheral Equipment, Not Elsewhere Classified | 333316 | Photographic and Photocopying Equipment Manufacturing |
| | | 334118 | Computer Terminal and Other Computer Peripheral Equipment Manufacturing |
| | | 334418 | Printed Circuit Assembly (Electronic Assembly) Manufacturing |
| | | 334613 | Blank Magnetic and Optical Recording Media Manufacturing |
| 3578 | Calculating and Accounting Machines, Except Electronic Computers | 333316 | Photographic and Photocopying Equipment Manufacturing |
| | | 333318 | Other Commercial and Service Industry Machinery Manufacturing |
| | | 334118 | Computer Terminal and Other Computer Peripheral Equipment Manufacturing |
| 3579 | Office Machines, Not Elsewhere Classified | 333318 | Other Commercial and Service Industry Machinery Manufacturing |
| | | 334519 | Other Measuring and Controlling Device Manufacturing |
| | | 339940 | Office Supplies (except Paper) Manufacturing |
| 3612 | Power, Distribution, and Specialty Transformers | 335311 | Power, Distribution, and Specialty Transformer Manufacturing |
| 3613 | Switchgear and Switchboard Apparatus | 335313 | Switchgear and Switchboard Apparatus Manufacturing |
| 3621 | Motors and Generators | 335312 | Motors and Generator Manufacturing |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 3624 | Carbon and Graphite Products | 335991 | Carbon and Graphite Product Manufacturing |
| 3625 | Relays and Industrial Controls | 335314 | Relay and Industrial Control Manufacturing |
| 3629 | Electrical Industrial Apparatus, Not Elsewhere Classified | 335999 | All Other Miscellaneous Electrical Equipment and Component Manufacturing |
| 3631 | Household Cooking Equipment | 335220 | Major Household Appliance Manufacturing |
| 3632 | Household Refrigerators and Home and Farm Freezers | 335220 | Major Household Appliance Manufacturing |
| 3633 | Household Laundry Equipment | 335220 | Major Household Appliance Manufacturing |
| 3634 | Electric Housewares and Fans | 333414 | Heating Equipment (except Warm Air Furnaces) Manufacturing |
| | | 335210 | Small Electrical Appliance Manufacturing |
| | | 339999 | All Other Miscellaneous Manufacturing |
| 3635 | Household Vacuum Cleaners | 335210 | Small Electrical Appliance Manufacturing |
| 3639 | Household Appliances, Not Elsewhere Classified | 333249 | Other Industrial Machinery Manufacturing |
| | | 335210 | Small Electrical Appliance Manufacturing |
| | | 335220 | Major Household Appliance Manufacturing |
| 3641 | Electric Lamp Bulbs and Tubes | 335110 | Electric Lamp Bulbs and Part Manufacturing |
| 3643 | Current-Carrying Wiring Devices | 335931 | Current-Carrying Wiring Device Manufacturing |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 3644 | Noncurrent-Carrying Wiring Devices | 332216 | Saw Blade and Handtool Manufacturing |
| | | 335932 | Noncurrent-Carrying Wiring Device Manufacturing |
| 3645 | Residential Electric Lighting Fixtures | 335121 | Residential Electric Lighting Fixture Manufacturing |
| 3646 | Commercial, Industrial, and Institutional Electric Lighting Fixtures | 335122 | Commercial, Industrial, and Institutional Electric Lighting Fixture Manufacturing |
| 3647 | Vehicular Lighting Equipment | 336320 | Motor Vehicle Electrical and Electronic Equipment Manufacturing |
| 3648 | Lighting Equipment, Not Elsewhere Classified | 335129 | Other Lighting Equipment Manufacturing |
| 3651 | Household Audio and Video Equipment | 334310 | Audio and Video Equipment Manufacturing |
| 3652 | Phonograph Records and Prerecorded Audio Tapes and Disk | 334614 | Software and Other Prerecorded Compact Disc, Tape, and Record Reproducing |
| | | 512250 | Record Production and Distribution |
| 3661 | Telephone and Telegraph Apparatus | 334210 | Telephone Apparatus Manufacturing |
| | | 334418 | Printed Circuit Assembly (Electronic Assembly) Manufacturing |
| 3663 | Radio and Television Broadcasting and Communications Equipment | 334220 | Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing |
| | | 334515 | Instrument Manufacturing for Measuring and Testing Electricity and Electrical Signals |
| 3669 | Communications Equipment, Not Elsewhere Classified | 334290 | Other Communications Equipment Manufacturing |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 3671 | Electron Tubes | 334419 | Other Electronic Component Manufacturing |
| 3672 | Printed Circuit Boards | 334412 | Bare Printed Circuit Board Manufacturing |
| 3674 | Semiconductors and Related Devices | 334413 | Semiconductor and Related Device Manufacturing |
| 3675 | Electronic Capacitors | 334416 | Capacitor, Resistor, Coil, Transformer, and Other Inductor Manufacturing |
| 3676 | Electronic Resistors | 334416 | Capacitor, Resistor, Coil, Transformer, and Other Inductor Manufacturing |
| 3677 | Electronic Coils, Transformers, and Other Inductors | 334416 | Capacitor, Resistor, Coil, Transformer, and Other Inductor Manufacturing |
| 3678 | Electronic Connectors | 334417 | Electronic Connector Manufacturing |
| 3679 | Electronic Components, Not Elsewhere Classified | 334220 | Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing |
| | | 334310 | Audio and Video Equipment Manufacturing |
| | | 334418 | Printed Circuit Assembly (Electronic Assembly) Manufacturing |
| | | 334419 | Other Electronic Component Manufacturing |
| | | 334515 | Instrument Manufacturing for Measuring and Testing Electricity and Electrical Signals |
| 3691 | Storage Batteries | 335911 | Storage Battery Manufacturing |
| 3692 | Primary Batteries, Dry and Wet | 335912 | Primary Battery Manufacturing |
| 3694 | Electrical Equipment for Internal Combustion Engines | 336320 | Motor Vehicle Electrical and Electronic Equipment Manufacturing |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 3695 | Magnetic and Optical Recording Media | 334613 | Blank Magnetic and Optical Recording Media Manufacturing |
| 3699 | Electrical Machinery, Equipment, and Supplies, Not Elsewhere | 333318 | Other Commercial and Service Industry Machinery Manufacturing |
| | | 333618 | Other Engine Equipment Manufacturing |
| | | 333992 | Welding and Soldering Equipment Manufacturing |
| | | 335129 | Other Lighting Equipment Manufacturing |
| 3699 | Electrical Machinery, Equipment, and Supplies, Not Elsewhere | 335999 | All Other Miscellaneous Electrical Equipment and Component Manufacturing |
| 3812 | Search, Detection, Navigation, Guidance, Aeronautical, and Nautical Systems and Instruments | 334511 | Search, Detection, Navigation, Guidance, Aeronautical, and Nautical System and Instrument Manufacturing |
| 3821 | Laboratory Apparatus and Furniture | 333249 | Other Industrial Machinery Manufacturing |
| | | 333415 | Air-Conditioning and Warm Air Heating Equipment and Commercial and Industrial Refrigeration Equipment Manufacturing |
| | | 333994 | Industrial Process Furnace and Oven Manufacturing |
| | | 333997 | Scale and Balance Manufacturing |
| | | 333999 | All Other Miscellaneous General Purpose Machinery Manufacturing |
| | | 337127 | Institutional Furniture Manufacturing |
| | | 339113 | Surgical Appliance and Supplies Manufacturing |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 3822 | Automatic Controls for Regulating Residential and Commercial Environments and Appliances | 334512 | Automatic Environmental Control Manufacturing for Residential, Commercial, and Appliance Use |
| 3823 | Industrial Instruments for Measurement, Display, and Control of Process Variables; and Related Products | 334513 | Instruments and Related Products Manufacturing for Measuring, Displaying, and Controlling Industrial Process Variables |
| 3824 | Totalizing Fluid Meters and Counting Devices | 334514 | Totalizing Fluid Meter and Counting Device Manufacturing |
| 3825 | Instruments for Measuring and Testing of Electricity and Electrical Signals | 334514 | Totalizing Fluid Meter and Counting Device Manufacturing |
| | | 334515 | Instrument Manufacturing for Measuring and Testing Electricity and Electrical Signals |
| 3826 | Laboratory Analytical Instruments | 334516 | Analytical Laboratory Instrument Manufacturing |
| 3827 | Optical Instruments and Lenses | 333314 | Optical Instruments and Lens Manufacturing |
| 3829 | Measuring and Controlling Devices, Not Elsewhere Classified | 334514 | Totalizing Fluid Meter and Counting Device Manufacturing |
| | | 334519 | Other Measuring and Controlling Device Manufacturing |
| | | 339112 | Surgical and Medical Instrument Manufacturing |
| 3841 | Surgical and Medical Instruments and Apparatus | 332994 | Small Arms, Ordnance, and Ordnance Accessories Manufacturing |
| | | 333249 | Other Industrial Machinery Manufacturing |
| | | 333415 | Air-Conditioning and Warm Air Heating Equipment and Commercial and Industrial Refrigeration Equipment Manufacturing |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| 3841 | Surgical and Medical Instruments and Apparatus | 333994 | Industrial Process Furnace and Oven Manufacturing |
| | | 333997 | Scale and Balance Manufacturing |
| | | 333999 | All Other Miscellaneous General Purpose Machinery Manufacturing |
| | | 337127 | Institutional Furniture Manufacturing |
| | | 339112 | Surgical and Medical Instrument Manufacturing |
| | | 339113 | Surgical Appliance and Supplies Manufacturing |
| 3842 | Orthopedic, Prosthetic, and Surgical Appliances and Supplies | 322291 | Sanitary Paper Product Manufacturing |
| | | 334510 | Electromedical and Electrotherapeutic Apparatus Manufacturing |
| | | 339113 | Surgical Appliance and Supplies Manufacturing |
| | | 339999 | All Other Miscellaneous Manufacturing |
| 3843 | Dental Equipment and Supplies | 339114 | Dental Equipment and Supplies Manufacturing |
| 3844 | X-Ray Apparatus and Tubes and Related Irradiation Apparatus | 334517 | Irradiation Apparatus Manufacturing |
| 3845 | Electromedical and Electrotherapeutic Apparatus | 334510 | Electromedical and Electrotherapeutic Apparatus Manufacturing |
| | | 334517 | Irradiation Apparatus Manufacturing |
| 3851 | Ophthalmic Goods | 339113 | Surgical Appliance and Supplies Manufacturing |
| | | 339115 | Ophthalmic Goods Manufacturing |
| 3861 | Photographic Equipment and Supplies | 325992 | Photographic Film, Paper, Plate, and Chemical Manufacturing |

| SIC Code | SIC Code Description | 2017 NAICS Code | NAICS Code Description |
|---|---|---|---|
| | | 333316 | Photographic and Photocopying Equipment Manufacturing |
| 3873 | Watches, Clocks, Clockwork Operated Devices, and Parts | 334519 | Other Measuring and Controlling Device Manufacturing |

**SECTOR AD: MISCELLANEOUS INDUSTRIAL ACTIVITIES**

*Activity Codes and Description of Industry*

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

**2. Miscellaneous Industrial Activities**

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

**3. Co-located Industrial Activities**

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

**4. Co-located Industrial Facilities**

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

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

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

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

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

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

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

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

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

**6. Non-Stormwater Discharges**

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

(a) discharges from emergency firefighting 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);

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

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

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

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

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

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

(i) uncontaminated water used for dust suppression;

(j) springs and other uncontaminated groundwater;

(k) incidental windblown mist from cooling towers that collects on rooftops or adjacent portions of the facility, but excluding intentional discharges from the cooling tower (e.g., "piped" cooling tower blowdown or drains); and

(l) other discharges described in Part V of this permit that are subject to effluent guidelines and effluent limitations.

## Section B. Limitations on Permit Coverage

### 1. Suspension or Revocation of Permit Coverage

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

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

### 2. Discharges Authorized by Another TPDES Permit

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

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

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

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

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

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

### 3. Stormwater Discharges from Construction Activity

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

(a) authorization is under a separate TPDES permit;

(b) authorization is under a separate NPDES permit; or

(c) TPDES or NPDES permit coverage is not required.

### 4. Stormwater Discharges from Salt Storage Piles

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

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

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

Stormwater discharges associated with industrial activity that combine with sources of non-stormwater are not eligible for coverage by this general permit, unless either the non-

stormwater source is described in Part II, Section A.6. of this permit or the non-stormwater source is authorized under a separate TPDES permit.

### 6. Compliance with Water Quality Standards

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

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

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

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

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

(b) New Discharges to Water Quality Impaired Water Bodies

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

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

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

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

permittee shall use the following method to demonstrate this finding, unless an alternate method is authorized by the TCEQ in writing:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

a. If the results indicate that the discharge is below the level of concern or is not present in the discharge, then no additional action is required.

b. If the results indicate that the pollutant of concern is present in the discharge at a level that may contribute to water quality impairment (e.g., a result that is above the benchmark level for a pollutant as described in the facility's applicable sector located in Part V of this general permit), then the permittee shall implement an interim pollutant reduction plan (PRP) for the pollutant of concern. This PRP must be included in the SWP3 and must discuss the management practices and control measures that the permittee will implement to reduce, with the goal of eliminating, the discharge of pollutant(s) of concern that contribute to the impairment of the water body. The PRP must specifically identify control measures and practices that will collectively be used to try to eliminate the discharge of pollutant(s) of concern that contribute to the impairment of the water body and explain why these control measures and practices were chosen as opposed to other alternatives.

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

**8. Discharges to the Edwards Aquifer Recharge Zone**

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

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

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

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

**Counties:** **Comal, Bexar, Medina, Uvalde, and Kinney**
**Contact:** TCEQ Water Program Manager
San Antonio Regional Office
14250 Judson Road
San Antonio, Texas 78233-4480
(210) 490-3096

**Counties:** **Williamson, Travis, and Hays**
**Contact**: TCEQ Water Program Manager
Austin Regional Office
12100 Park 35 Circle
Room 179, Building A
Austin, Texas 78753
(512) 339-2929

**9. Discharges to Specific Watersheds and Water Quality Areas**

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

**10. Endangered Species Act**

Discharges that would adversely affect a listed endangered or threatened aquatic or aquatic-dependent species or its critical habitat are not authorized by this permit, unless the requirements of the federal Endangered Species Act are satisfied. Federal requirements related to endangered species apply to all TPDES permitted discharges and site-specific controls may be required to ensure that protection of endangered or threatened aquatic or

aquatic dependent species is achieved. If a permittee has concerns over potential impacts to listed species, the permittee may contact TCEQ for additional information.

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

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

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

A facility that does not discharge stormwater to an MS4 nor to surface water in the state may not be required to obtain coverage under this general permit if the operator demonstrates that no discharges have occurred nor will occur in the future. The operator may be required to demonstrate, using engineering calculations or similar methods, that the facility will not discharge stormwater associated with industrial activity.

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

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

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

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

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

(e) Discharge to above ground storage tanks with no resulting discharge into surface water in the state.

(f) Containment of all stormwater within property boundaries, with no discharge into surface water in the state, including no discharge during, or as the result of, any storm event.

**13. Automatic Authorization for Certain Industrial Activities**

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

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

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

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

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

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

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

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

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

### 14. Transfer of Liability

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

### 15. Force Majeure

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

## Section C. Obtaining Authorization to Discharge

### 1. Conditional No Exposure Exclusion from Permit Requirements

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

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

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

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

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

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

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

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

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

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

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

b. there are no leaks from pipes, pumps, or other equipment that could come into contact with stormwater; and

c. the ASTs are surrounded by secondary containment (e.g., impervious berm, dike, or concrete retaining structure) to prevent exposure to stormwater runoff in the event of structural failure or leaks.

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

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

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

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

(3) "final" products that are actually "intermediate" products used in the composition of yet another product (e.g., sheet metal, tubing and paint used in making tractors,

unfinished portions of a final product, plastic pellets, glass to be installed in vehicles or buildings). Even if the intermediate product is "final" for a manufacturer and is intended to be included in a "final product intended for use outdoors," these products are still considered intermediate products and are considered to be exposed if located outdoors.

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

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

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

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

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

## 2. Application for Coverage

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

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

(1) Electronic NOIs and NECs. Applicants must submit an NOI or NEC using the online e-permitting system available through the TCEQ website or request and obtain an electronic reporting waiver. Electronic reporting waivers are not transferrable and expire on the same date as the authorization to discharge.

Provisional authorization begins immediately following confirmation of receipt of the electronic NOI or NEC form by the TCEQ.

(2) Paper NOIs and NECs. Applicants that are issued an electronic reporting waiver shall submit a paper NOI or NEC. Provisional authorization begins 48 hrs from

the date that a completed NOI or NEC is postmarked for delivery to the TCEQ, unless otherwise notified in writing by the executive director.

(3) Following review of the NOI or NEC, the executive director will:

a. determine that the NOI or NEC is complete and confirm coverage by providing a written notification and an authorization number; or

b. determine that the NOI or NEC is incomplete and request additional information needed to complete the NOI or NEC; or

c. deny coverage in writing. Denial of coverage will be made in accordance with TCEQ rules at 30 TAC §205.4, related to Authorizations and Notices of Intent.

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

**3. Application Deadlines**

(a) Existing Industrial Facilities.

(1) Permittees who were authorized under the previous TPDES MSGP permit for discharges associated with industrial activity (TXR050000, issued August 14, 2016) shall continue to operate under the provisions of that permit until authorization is obtained under this general permit, and may continue to do so for up to 90 days after the effective date of this general permit.

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

(2) Facilities that were required to obtain permit coverage under the previous TPDES MSGP (issued August 14, 2016) are considered to be existing facilities, regardless of whether an NOI or NEC was previously submitted under that general permit. The deadline for existing facilities that did not obtain coverage under the previous TPDES MSGP permit is immediately upon the effective date of this general permit. However, this permit does not prohibit a facility from submitting an NOI or NEC after the effective date of the general permit.

(3) Permit coverage for facilities that do not renew permit coverage will expire 90 days following the effective date of this general permit. However, facilities that do not submit a notice of termination on or before September 1, 2021, will be considered active facilities on that date and will be assessed an annual fee for Fiscal Year 2022, as described in Part II, Section C.10.(b) below.

(b) New Industrial Facilities.

An NOI or NEC must be submitted prior to commencement of industrial activity that is regulated under this general permit, or the facility operator must comply with the

automatic authorization requirements listed in Part II, Section B.13. of this general permit.

(c) New Operator.

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

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

**4. Stormwater Pollution Prevention Plan (SWP3)**

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

**5. Contents of the Notice of Intent (NOI)**

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

(a) Operator Information.

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

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

(b) Site Information.

(1) the name, address, county, and latitude and longitude of the site;

(2) the location of outfall(s);

(3) a determination of whether the site is located on Indian Land;

(4) the name of the receiving water(s);

(5) the name of the MS4 operator(s), if the discharge is to an MS4;

(6) a certification statement that a SWP3 has been developed and implemented according to the provisions of this permit;

(7) the primary SIC code that best describes the industrial activity of the facility and any other SIC codes or Industrial Activity Codes that describe additional activities and that are listed in Part V of this permit;

(8) the industrial activities of the facility that are subject to federal effluent limitations guidelines;

(9) the industrial sector(s) of this general permit for which the applicant requests coverage;

(10) if discharging a pollutant of concern to an impaired waterbody;

(11) if applicable, waiver criteria from sampling for hazardous metals are updated and met; and

(12) the status (inactive or active) of the facility.

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

**6. Changes to Information Submitted**

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

(1) Relevant information provided on the NOI or NEC has changed;

(2) The operator failed to submit relevant facts; or

(3) The operator submitted incorrect information on an NOI or NEC.

(b) Electronic NOC. Permittees must submit an NOC using the online e-permitting system available through the TCEQ website unless the permittee requested and obtained an electronic reporting waiver.

(c) Paper NOC. Permittees that are issued an electronic reporting waiver shall submit the NOC on a form provided by the executive director, or by letter if an NOC form is not available.

(d) A copy of the NOC, submitted either electronically or by paper, must also be provided to the operator of any MS4 receiving the discharge (if required by the MS4), and the SWP3 must include a list of the names and addresses of the MS4 operator(s) receiving a copy.

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

(1) Change to applicant contact or billing information.

(2) Changes to the General Characteristics section, such as adding, removing, or changing an SIC code or industrial activity code; adding or removing industrial activities with federal effluent limitations; or changing the discharge information.

(3) Operator name change, provided that only the name has changed and that no transfer of ownership has occurred (see Part II, Section C.7.(a) below).

(4) Addition, removal, or change in the location of a permitted outfall.

(5) Request to stop submitting monitoring results of benchmarks, numeric effluent limitations (hazardous metals), and pollutants of concern.

(6) Changes in facility status from active to inactive and vice versa.

(f) Delegation of Signatory Authority. If signatory authority is delegated by an authorized representative, then a Delegation of Signatory form must be submitted as required by 30 TAC 305.128 (relating to Signatories to Reports) using the State of Texas Environmental Electronic Reporting System (STEERS), TCEQ's online permitting system, unless the permittee obtained an electronic reporting waiver. A new Delegation of Signatory form must be submitted, if the delegation changes to another individual or position.

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

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

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

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

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

**7. Terminating Coverage**

(a) Submitting Notice of Termination (NOT).

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

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

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

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

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

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

Coverage under this general permit is not transferable. A transfer of operational control includes changes to the structure of a company, such as changing from a partnership to a corporation, or changing to a different corporation type such that a different filing (or charter) number is established with the Texas SOS. When the operator of a regulated industrial facility

changes or operational control is transferred, the original operator must submit an NOT within 10 days prior to the date that responsibility for operations terminates, and the new operator must submit an NOI at least 10 days prior to the transfer of operational control.

(2) Operators of regulated industrial activities who are designated as being automatically authorized by this general permit, and who are not required to submit an NOI or NEC, are not required to submit an NOT to terminate coverage.

(b) NOT Form.

(1) Electronic NOTs. Permittees must submit an NOT using the online e-permitting system available through the TCEQ website unless the permittee requests and obtains an electronic reporting waiver.

(2) Paper NOTs. Permittees that are issued an electronic reporting waiver shall submit the NOT on a form approved by the executive director.

(3) A copy of the NOT, submitted either electronically or by paper, must be provided to the operator of any MS4 receiving the discharge (if required by the MS4).

(c) Effective Date of Termination of Coverage.

Authorization to discharge terminates immediately following confirmation of receipt of the electronic NOT by the TCEQ. If submitted by paper, the authorization to discharge terminates on the day that an NOT is postmarked for delivery to the TCEQ.

**8. Signatory Requirements**

NOIs, NOTs, NOCs, and NECs must be signed according to 30 TAC §305.44 (relating to Signatories for Applications). Signatory authority may not be delegated to a person who does not meet the requirements listed in the referenced rule.

**9. Additional Notification**

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

**10. Fees**

(a) Application Fees:

An application fee for electronic submittal of NOIs and NECs is $100.00. The application fee for each paper NOI and each paper NEC is $200.00 and must be submitted with the application.

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

(b) Annual Fees:

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

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

### 11. Permit Expiration

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

## Section D. Alternative Coverage Under an Individual TPDES Permit

### 1. Individual Permit Alternative

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

### 2. General Permit Alternative

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

### 3. Individual Permit Required

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

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

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

(c) any other consideration defined in 30 TAC Chapter 205 including 30 TAC §205.4(c)(3)(D), which allows the commission to deny authorization under the general permit and require an individual permit if a discharger has been determined by the executive director to have been out of compliance with any rule, order, or permit of the commission, including non-payment of fees assessed by the executive director.

(d) for a discharger classified as an “unsatisfactory performer” under 30 TAC Chapter 60 (relating to Compliance History). 30 TAC §60.3 requires the executive director to deny or suspend a person's authority relating to that site to discharge under this general permit. A discharger with an “unsatisfactory” compliance history classification is entitled to a hearing before the Commission prior to having its authorization denied or suspended in accordance with TWC §26.040(h).

Denial of authorization to discharge under this general permit or suspension of a permittee’s authorization under this general permit must be done according to commission rules in 30 TAC Chapter 205, General Permits for Waste Discharges.

# Part III. PERMIT REQUIREMENTS AND CONDITIONS COMMON TO ALL COVERED INDUSTRIAL ACTIVITIES

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

### 1. Implementation of SWP3 and Consistency with Other Plans

(a) An applicant seeking authorization under this general permit must develop and implement a new, or for existing permittees an updated, SWP3 before submitting an NOI for coverage.

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

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

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

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

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

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

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

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

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

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

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

(b) Existing plans and measures that are developed based on other regulatory requirements, such as Spill Prevention Control Countermeasures (SPCC) plans that are

required for certain operations under the federal guidelines of 40 CFR Part 112, may satisfy in whole or in part specific requirements of this general permit. These plans or measures may either be attached as a component of the SWP3, or referenced in the SWP3 and made readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction.

**2. Stormwater Pollution Prevention Team**

The permittee shall establish a stormwater pollution prevention team (team). The SWP3 must be kept readily available to the members of the team.

(a) Members of the Team. The SWP3 must identify the members of the team by name and by title, and must list and clearly identify the responsibilities of each team member. The team may consist of a single individual or a group of individuals as appropriate for the facility. Additional members of the team may include environmental professionals that are under contract to the permittee. If the facility is not staffed on a continuous or permanent basis, then company employee(s) from outside of the facility may be identified as a part of the team.

If it is not feasible to provide the name of each team member, then the SWP3 may identify a position or positions within the organization that comprise the team. Members of the organization or the ranking employees or executive officers at the facility must be able to identify the particular individual(s) comprising the team.

(b) Responsibility of the Team. The team is responsible for development of the SWP3 and for assisting the operator or the operator's designee in the implementation, maintenance, and revision of the SWP3.

**3. Description of Potential Pollutants and Sources**

The SWP3 must identify and describe all activities and significant materials that may potentially be pollutant sources. The SWP3 must include, at a minimum:

(a) Inventory of Exposed Materials. An inventory must be developed that lists materials currently handled at the facility that may be exposed to precipitation or runoff in a drainage area of an outfall covered under this permit. The list must include all materials that are handled, stored, processed, treated, or disposed of in a manner that would allow exposure to precipitation or runoff. Materials stored in drums, barrels, tanks, and similar containers that are tightly sealed, in good structural condition, and do not have leaking valves are not required to be listed in the inventory.

The inventory of materials must include specific pollutants that maybe attributed to those materials. For facilities subject to reporting requirement under EPCRA §313, the SWP3 must list all potential pollutant sources for which they have reporting requirements under EPCRA §313.

The inventory must be updated within 30 days following a significant change in the types of materials that are exposed to precipitation or runoff, or significant changes in material management practices that may affect the exposure of materials to precipitation or runoff. A significant change in the types of materials is exposure of a material, not already included in the inventory that could be transported by precipitation or stormwater runoff and subsequently discharged. A significant change in material management practices is a change that would result in either initial exposure of a material not already listed in the inventory or increased exposure of a material to the extent that the material could be transported by precipitation or stormwater runoff and subsequently discharged.

(b) Narrative Description. The SWP3 must include a narrative description that describes all activities and potential sources of pollutants that may reasonably be expected to add pollutants to stormwater discharges, or that may result in dry weather discharges from the storm sewer system. This description must include locations and sources of runon to the site from adjacent property, and an indication if significant quantities of pollutants are present in the runon.

Examples include the following activities and potential sources when they are exposed to stormwater:

(1) loading, unloading, and material transfer areas;

(2) outdoor storage areas;

(3) outdoor processing areas;

(4) dust producing activities;

(5) on-site waste disposal areas;

(6) vehicle/equipment maintenance, cleaning, and fueling areas;

(7) liquid storage tank areas;

(8) railroad sidings, tracks, and rail cars;

(9) storage piles containing salt used for deicing or other commercial or industrial purposes;

(10) locations where potential spills and leaks could occur that could contribute pollutants to stormwater discharges; and

(11) locations where all significant spills and leaks (for example, reportable quantity spills and spills or leaks that have the potential to cause impacts on water quality) of oil or toxic or hazardous pollutants occurred at exposed areas that drained to a stormwater conveyance in the three (3) years prior to the date the SWP3 was prepared or amended.

For each pollutant or material listed in the Inventory of Exposed Materials, the direction of flow or potential flow to the final permitted outfalls must be identified in the SWP3. The outfall and direction of flow must either be narratively described or identified by referencing the location on the site map. Areas of the facility that have a high potential for significant soil erosion, due to topography, activities, or other factors, must also be identified and either narratively described or identified by referencing the location on the site map.

The narrative description must be updated within 30 days following a change in the types or quantities of materials exposed to precipitation or runoff that, in the judgment of the stormwater pollution prevention team, may reasonably be expected to add pollutants to stormwater discharges. The narrative description must be updated to describe changes in material management practices or other factors that may affect the exposure of materials to precipitation or runoff.

(c) General Location Map. The SWP3 must contain a general location map (e.g., USGS quadrangle map) with enough detail to identify the location of the facility, including all surface waters that could potentially receive the stormwater discharges from the site. For sites with large plots of lands where no industrial activity is conducted, the map must also depict those areas. However, no outfall(s) needs to be assigned for those

areas, if they only discharge stormwater that has not been in contact with industrial activity.

(d) Drainage Area Site Map. A site map(s) must be developed that depict(s) the following:

(1) the location (latitude and longitude) of each outfall covered by the permit and the location (latitude and longitude) of each sampling point (if different from the outfall location);

(2) an outline of the facility's drainage area that shows the direction of the stormwater flow, and the location of all stormwater conveyances (e.g., ditches, gutters, pipes, swales) that drain to each permitted outfall;

(3) connections or discharges to MS4(s);

(4) locations of all structures (e.g. buildings, garages, storage tanks, fueling stations, machinery) and impervious surfaces (e.g., parking lots, paved or concrete pads);

(5) structural control devices designed to reduce pollution in stormwater runoff;

(6) process wastewater treatment units (including ponds);

(7) bag house and other air treatment units exposed to stormwater;

(8) the surface area of the facility (i.e., size in acres or square feet), or a clear scale such that the approximate surface area may be calculated;

(9) locations of all receiving waters, including wetlands, and information as to whether they are impaired or have established TMDLs;

(10) vehicle and equipment maintenance areas;

(11) physical features of the site that may influence stormwater runoff or contribute a dry weather flow;

(12) locations and descriptions of all non-stormwater discharges;

(13) locations where reportable quantity spills or leaks have occurred during the three (3) years before the NOI is submitted to obtain coverage under this general permit;

(14) locations and sources of runon to the site from adjacent property that contains significant quantifies of pollutants;

(15) processing, storage, and material loading/unloading areas; and

(16) any additional locations where significant materials are exposed to precipitation or runoff.

The site map must clearly show the flow of stormwater runoff from each of these locations so that the final outfall(s) where the discharge leaves the facility's boundary is apparent. A series of maps must be developed if the amount of information would cause a single map to be difficult to read and interpret.

(e) Spills and Leaks. The SWP3 must contain a list of reportable quantity spills that occurred in areas exposed to stormwater, or that occurred within the drainage area that contributes to an outfall, during the three (3) years before the NOI was submitted. The list must be updated on a quarterly basis and must include all additional spills and leaks that could contribute pollutants to stormwater discharges (in addition to the previously listed spills of "reportable quantity" only). The updated list may be limited to spills and leaks that have occurred within the previous five (5) years.

(f) Sampling Data. All data from the laboratory analyses of stormwater discharge samples must be summarized. The summary must be updated on an annual basis to include the results of all additional analyses. The data summary must either be included as an attachment to the SWP3 or may be referenced and maintained separately. The data summary must be readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction.

**4. Pollution Prevention Measures and Controls**

The permittee shall implement all pollution prevention practices that are determined to be necessary, reasonable, and effective by the stormwater pollution prevention team, or that are required by a state or local authority, that are necessary to protect the water quality in receiving waters, or that are necessary to remain compliant with this general permit. The SWP3 must include detailed descriptions of the following minimum components and a schedule for implementation:

(a) Best Management Practices (BMPs). A section within the SWP3 must be developed to establish BMPs to reduce the discharge and potential discharge of pollutants in stormwater and to minimize exposure of areas of the site with industrial activity to stormwater. The location and type of BMPs or control measures that have been adopted or installed must be documented in the SWP3. Development of BMPs must be based on the activities and potentials for contamination that are identified in Part III, Section A.4. of this permit.

Examples of BMPs that the permittee may use to comply with this section include the following:

(1) use grading, berming, or curbing when possible to prevent runoff of contaminated flows and to divert runon away from these areas;

(2) locate materials, equipment, and activities in such a way that leaks are contained in existing containment and diversion systems;

(3) clean up spills and leaks promptly using dry methods (e.g., absorbents) to prevent the discharge of pollutants;

(4) use drip pans and absorbents under or around leaky vehicles and equipment or store indoors where feasible;

(5) use spill/overflow protection equipment;

(6) drain fluids from equipment and vehicles prior to on-site storage or disposal;

(7) perform cleaning operations indoors, within storm resistant shelters, or within bermed areas that prevent runoff and runon and that also capture overspray;

(8) ensure that waste, garbage, and floatable debris are not discharged to receiving waters, by keeping exposed areas free of such materials or by intercepting them before they are discharged;

(9) minimize generation of dust and off-site tracking of raw materials, intermediate products, final products, or waste materials; and

(10) divert, infiltrate, reuse, contain, or otherwise reduce stormwater runoff, in order to minimize pollutants in discharges.

(b) Good Housekeeping Measures. A section within the SWP3 must be developed to ensure that areas of the facility that contribute or potentially contribute pollutants to stormwater discharges (e.g., areas around trash dumpsters, storage areas, loading

docks, and outdoor processing areas) are maintained in a clean and orderly manner. Good housekeeping measures must include measures to eliminate or reduce exposure of garbage and refuse materials to precipitation or runoff prior to their disposal. Typical good housekeeping measures include activities that are performed on a daily basis by employees during the course of normal work activities. The good housekeeping measures must be incorporated as a part of the employee training program.

(c) Plastic Materials Requirements. Facilities that handle pre-production plastic must develop and include in the SWP3 activities that will be implemented to ensure that areas of the facility that can contribute plastic pollutants to stormwater discharges (e.g. areas around containers holding plastic materials, plastic storage areas, loading docks where plastics are present, and outdoor areas where plastic materials may be present) are maintained in a clean and orderly manner. Good housekeeping measures must include measures to prevent exposure of plastics and other plastic pre-production materials to precipitation or runoff prior to their use in further processing or disposal. Plastic materials required to be addressed as stormwater pollutants at a minimum include the following: virgin and recycled plastic resin pellets, powders, flakes, powdered additives, regrind, scrap, waste, and recycling material with the potential to discharge or migrate off-site. Facilities that handle pre-production plastic must implement BMPs to eliminate discharges of plastic in stormwater through the implementation of control measures such as the following, where determined feasible (list not exclusive): minimizing spills, cleaning up spills promptly and thoroughly, sweeping and/or vacuuming thoroughly, and pellet capturing.

(d) Erosion and Sedimentation Control Measures. A section within the SWP3 must be developed to address soil erosion and sedimentation. The permittee shall evaluate and use appropriate measures and controls to reduce soil erosion and sedimentation in areas of the facility with demonstrated or potential soil erosion and sedimentation.

Potential use of the following controls must be evaluated, at a minimum: soil stabilization through vegetative cover; contouring slopes; paving; and installation of structural controls.

(e) Structural Controls

(1) Physical structures may be used in conjunction with other pollution prevention measures and controls, as necessary, to reduce pollutants in stormwater discharges. Examples of structural controls that may be used include vegetated swales, oil/water separators, settling ponds, catch basins, berms, and other physical structures.

(2) Velocity Dissipation Devices. Discharge velocities must be controlled to the extent necessary to prevent the destruction of the natural physical characteristics of receiving waters by erosion. Velocity dissipation devices may be constructed at discharge points or along channels and other stormwater collection areas that lead to outfalls. Management alternatives to minimize runoff, such as limiting impervious cover, may also be considered.

(3) A section within the SWP3 must be developed to establish a maintenance program for stormwater structural controls. These controls must be inspected on a regular basis and maintenance frequencies must be established for each of the controls at intervals that ensure effective operation. Mechanical equipment that is part of a structural control, such as a stormwater pump, must also be inspected at intervals described in the SWP3 and maintained at intervals necessary to prevent failures that could result in a discharge of pollutants.

This section of the SWP3 must identify qualified personnel to conduct inspections and establish inspection and maintenance schedules. Records must document the estimated volumes of solids removed from catch basins, sediment ponds, and other similar control structures.

(f) Spill Prevention and Response Measures. A section within the SWP3 must be developed and implemented to prevent spills and to provide for adequate spill response. This section must:

(1) identify areas where spills could contribute pollutants to stormwater discharges;

(2) develop and implement procedures to minimize or prevent contamination of stormwater from spills;

(3) require drums, tanks, and other containers to be clearly labeled;

(4) clearly mark hazardous waste containers that require special handling, storage, use, and disposal;

(5) develop and implement specific spill prevention, detection, and clean up procedures and techniques;

(6) develop procedures to notify appropriate facility personnel, emergency response agencies, public health, or drinking water supply agencies and other regulatory agencies of a reportable quantity spill or other release of oil or a hazardous substance;

(7) make available to facility personnel materials and equipment necessary for spill clean-up;

(8) develop and maintain an inventory of spill cleanup materials and equipment; and

(9) incorporate these measures as a part of the employee training program.

(g) Employee Training Program and Employee Education.

(1) Training. A section within the SWP3 must be developed to establish a training program. Training must be provided to all employees who are responsible for implementing or maintaining activities identified in the SWP3. Employee training must include the following, at a minimum:

a. proper material management and handling practices for specific chemicals, fluids, and other materials used or commonly encountered at the facility;

b. spill prevention methods;

c. the location of materials and equipment necessary for spill clean-up;

d. spill clean-up techniques;

e. proper spill reporting procedures; and

f. familiarization with good housekeeping measures, BMPs, and goals of the SWP3.

The schedule for employee training sessions must be developed based on pollutant potential, employee turnover rate, and other factors the permittee determines are applicable. Training must be conducted at least once per year and records of training activities and attendance lists must be maintained in the SWP3 in accordance with Part III.D.5.

(2) Education. Education must be provided to those employees at the facility who are not directly responsible for implementing or maintaining activities identified in the SWP3, and who do not participate in the employee training program. At a minimum, these employees must be informed of the basic goal of the SWP3 and how to contact the stormwater pollution prevention team regarding stormwater issues.

**5. Additional Documentation Requirements**

(a) The following records must be kept with the SWP3, in addition to any records required elsewhere in this permit:

(1) A copy of the NOI submitted to TCEQ along with any correspondence exchanged between the permittee and TCEQ related to coverage under this permit;

(2) A copy of the acknowledgment letter from the TCEQ;

(3) If signatory authority is delegated by an authorized representative, then a copy of the formal notification to TCEQ, as required by 30 TAC 305.128 relating to Signatories to Reports must be filed in the SWP3 and made available for review upon request by TCEQ or local MS4 Operator. The formal notification to TCEQ must be submitted either electronically through STEERS, TCEQ's electronic reporting system, or, if qualifying for an electronic reporting waiver, by paper on a Delegation of Signatories form.

(4) A copy of this permit (either paper or electronic version), either as part of the SWP3 or as an attachment to the SWP3 (sections in Part V of this general permit that are not related to the industrial activities at the site need not be included);

(5) Descriptions and dates of any incidences of significant spills, leaks, or other releases that resulted in the discharge of pollutants to surface waters;

a. the circumstances leading to the release and actions taken in response to the release; and

b. measures taken to prevent the recurrence of such releases;

(6) Records of employee training, including date(s) training received;

(7) Documentation of maintenance and repairs of control measures, including the date(s) of regular maintenance, date(s) of discovery of areas in need of repair/replacement, and for repairs, date(s) that the control measure(s) returned to full function, and the justification for any extended maintenance/repair schedules;

(8) Copies of inspection reports;

(9) Description of any corrective action taken at the site, including triggering event and dates when problems were discovered and modifications occurred;

(10) Documentation to support a claim that the facility has changed its status from active to inactive and unstaffed with respect to the requirements to conduct routine facility inspections, quarterly visual assessments, or benchmark monitoring;

(11) Results of monitoring and inspection activities as described in Part III, Section B; and

(12) Documentation of the criteria used to claim a waiver from monitoring hazardous metals.

(b) Records - Records for each element described above in Part III, Section A.4., related to Pollution Prevention Measures and Controls, must either be included as an attachment to the SWP3 and retained on-site or made readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction. Records must document and describe maintenance activities, inspections, spills, discharge quality, employee training activities, employee education activities, SWP3 updates or modifications, and other events relative to each element.

### 6. SWP3 Review

The SWP3 must be maintained either at the site or be readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction. The SWP3 must be modified by the permittee as often as necessary. Each revision must be dated, and all revisions must be retained according to Part III, Section D.5. The executive director may determine, following a review or site inspection, that the SWP3 is not sufficient and may require that the SWP3 be revised to correct all deficiencies.

## Section B. Periodic Inspections and Monitoring

### 1. Inspection and Certification of Non-Stormwater Discharges

(a) Permit Coverage for Non-Stormwater Discharges. Non-stormwater discharges eligible for coverage are described in Part II, Section A.6. of this general permit and in the individual sections within Part V of this general permit. The permittee shall identify and evaluate all non-stormwater discharges that qualify for permit coverage. The SWP3 must include a list of the non-stormwater discharges at the facility, as well as the results of this evaluation.

(b) Investigation for Non-Stormwater Discharges. Within 180 days of filing an NOI for coverage (or a renewal NOI) the permittee shall conduct a survey of potential non-stormwater sources and shall provide the certification required in Part III, Section B.1.(c) below. The facility's storm sewer system must be tested or inspected (e.g., screened for dry weather flows) for the presence of non-stormwater flows. Procedures must be evaluated and implemented to eliminate any potential sources that are discovered and are not permitted. The SWP3 must ensure that non-stormwater sources are not combined with stormwater discharges authorized by this permit unless otherwise allowable under Part II.B.5. of this general permit.

The SWP3 must be updated based on this evaluation to include the following:

(1) the date that the evaluation occurred and description of the criteria used for evaluation;

(2) the outfalls or onsite discharge points observed;

(3) the different types of identified non-stormwater discharges and their source locations; and

(4) appropriate BMPs for the non-stormwater discharges, or the actions taken or the control measures used to eliminate them.

(c) Inspection, Documentation, and Certification of Non-Stormwater Discharges. The SWP3 must include a certification, signed according to Part III, Section E.6.(c) of this general permit, relating to Signatory Requirements for Reports and Certifications, that states that the facility's storm sewer system has been evaluated for the presence of non-stormwater discharges and that the discharge of non-permitted, non-stormwater does not occur. The certification must include documentation of how the evaluation was conducted, results of any testing, dates of evaluations or tests, and the portions of the storm sewer system that were observed during the inspection. The inspection for non-stormwater discharges must be completed and the certification must be prepared within 180 days after filing an NOI for permit coverage. The certification must be made readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction.

(d) Failure or Inability to Certify.

(1) If a part of the storm sewer system cannot be accessed to complete the evaluation, certification must be provided for the remainder of the system. Notice of this inability to certify a portion of the storm sewer system must be provided to the TCEQ within 180 days after the NOI is submitted. Operators of facilities that contribute stormwater discharges to an MS4 shall provide notice of this inability to certify a portion of the storm sewer system to the MS4 operator upon request from the MS4 operator. The notice must include an explanation of why the evaluation could not be performed and a list of all known potential, non-permitted, non-stormwater sources that could not be included in the certification. The notification must be submitted to the TCEQ's Enforcement Division (MC-224).

(2) If, in the course of evaluating the storm sewer system, the permittee is unable to certify that non-permitted, non-stormwater discharges are not occurring due to non-compliance, then the certification must identify the non-compliance issues and the steps being taken to remedy and prevent further non-compliance.

**2. Routine Facility Inspections**

Qualified personnel, who are familiar with the industrial activities performed at the facility, shall conduct periodic routine facility inspections to determine the effectiveness of the Pollution Prevention Measures and Controls (Part III, Section A.4.). These inspections must include at least one member of the stormwater pollution prevention team.

(a) Inspections must be conducted at least once per quarter unless otherwise specified in Part V of this permit. If feasible, at least one of these routine facility inspections each calendar year must be conducted during a period when a stormwater discharge is occurring.

(b) The permittee shall document the findings of each routine facility inspection performed and shall maintain this documentation onsite with the SWP3.

(c) The inspections must be documented through the use of a checklist that is developed to include each of the controls and measures that are evaluated. At a minimum, the documentation of each routine facility inspection must include:

(1) the inspection date and time;

(2) the name(s) of the inspector(s);

(3) weather information and a description of any discharges occurring at the time of the inspection;

(4) any previously unidentified discharges of pollutants from the site;

(5) any control measures (structural or non-structural) needing maintenance or repairs;

(6) any failed control measures (structural or non-structural) that need replacement;

(7) any incidents of non-compliance that are observed. An incident of non-compliance is any instance where an element of the SWP3 is either not implemented, or where specific conditions of the permit are not met;

(8) any additional control measures needed to comply with the permit requirements; and

(9) identification of any existing BMPs that are not being properly or completely implemented.

This documentation must be signed in accordance with Part III, Section E.6.(c) of this permit.

When revisions or additions to the SWP3 are recommended as a result of inspections, a summary description of these proposed changes must be attached to the inspection checklist. The summary must identify any necessary time frames required to implement the proposed changes. The routine facility inspection checklists must be made readily available for inspection and review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction.

### 3. Quarterly Visual Monitoring

Stormwater discharges from each outfall authorized by this general permit must be visually examined on a quarterly basis. Monitoring must be conducted during the normal hours of operation for the facility and samples must be collected in a clean, clear, glass or plastic container and examined in a well lit area.

(a) Findings must document observations of the following:

(1) color;

(2) clarity;

(3) floating solids;

(4) settled solids;

(5) suspended solids;

(6) foam;

(7) oil sheen;

(8) other obvious indicators of stormwater pollution; and

(9) noticeable odors.

Some examinations, such as an examination for odor and foam, may necessarily be conducted immediately following collection of the sample.

(b) All examinations must be performed in a manner that ensures the sample is representative of the discharge (see Part III, Section D). If this is not possible, then the report must include the reason.

(c) Records of quarterly visual monitoring must include the following information, and the report must be included in the SWP3:

(1) sample location(s);

(2) date and time samples were collected and examined;

(3) names of personnel who collected and examined the samples;

(4) nature of the discharge (e.g., runoff, snowmelt);

(5) results of the observations;

(6) probable sources of any observed contamination;

(7) visual quality of the stormwater discharge; and

(8) the reason why any samples were not collected within the first 30 minutes of discharge.

(d) Results of the examination must be reviewed by the stormwater pollution prevention team. The team must investigate and identify probable sources of any observed stormwater contamination. The SWP3 must be modified as necessary to address the conclusions of the team.

(e) Part V of this general permit may include alternative schedules for visual monitoring at specific industrial sectors, and may include additional requirements.

**4. Water Quality Monitoring Requirements**

(a) The permittee shall monitor the discharge from the facility at all outfall(s) determined to be discharging a pollutant of concern at a level of concern under Part II, Section B.7, Impaired Water Bodies and Total Maximum Daily Load (TMDL) Requirements.

(b) The permittee may not establish substantially similar outfalls for sampling required under this section.

(c) The permittee shall monitor the discharge(s) from regulated industrial activities for the pollutant of concern at a frequency of once per year. For the following pollutants of concern, monitoring must be conducted for the following alternative pollutants, unless an alternate is approved in writing by TCEQ's Wastewater Permitting Section (MC-148), or the TCEQ develops separate written guidance:

**Pollutant(s) of Concern:**

*Bacteria*: E.coli (for discharge to fresh water); or enterococci (for discharges to marine waters).

*Dissolved Oxygen*: BOD5, COD, or both (based on the nature of the industrial activity, and whether there is an existing benchmark sampling requirement for the facility's industrial sector).

*Nutrients*: Phosphorous (for discharges to fresh water); or Nitrogen (for discharges to marine waters), unless otherwise established in an applicable TMDL or TMDL Implementation Plan.

*Hazardous Metals*: Specific metal(s) listed in the CWA 303(d) List or the TMDL.

*Other*: If the impairment is due to a parameter for which there is not an obvious analytical test or benchmark value (e.g., sediment, fish tissue, etc.), the permittee shall contact the TCEQ for guidance on which pollutant(s) to monitor for, if any, and the

TCEQ will respond in writing. The permittee shall retain this information with the SWP3.

The permittee may utilize the analytical results of sampling for other sections of this general permit to comply with this annual sampling requirements (e.g., hazardous metals sampling in Part III, Section C, or benchmark monitoring in Parts IV and V of this general permit).

(d) Sampling, monitoring, and analyses must be conducted according to procedures specified in Part III, Section E.4 of this permit unless otherwise specified and using test procedures with minimum analytical levels (MALs) at or below benchmark values for all the benchmark parameters for which sampling is required.

(e) Reporting. The permittee shall report the results of sampling for this section to the TCEQ by March 31 following the calendar year in which the samples were collected. The results for the pollutant(s) of concern must be submitted online using the Network Discharge Monitoring Report (NetDMR) reporting system available through the TCEQ website unless the permittee requested and obtained an electronic reporting waiver.

(f) If sampling results indicate that the pollutant is present below the level of concern (e.g., the analytical result is below the benchmark values in Part V of this permit) or is not present (e.g., analytical result is below the MAL), then the permittee may discontinue sampling under this section for the remainder of the permit term.

**5. Annual Comprehensive Site Compliance Inspection**

The comprehensive site compliance inspection is a required site evaluation and an overall assessment of the effectiveness of the current SWP3. This inspection is in addition to other routine inspections required by the permit; however, it may substitute for a routine facility inspection if it is conducted during the regularly scheduled period of the routine facility inspection and the scope of the inspection is sufficient enough to address both the minimum requirements of the routine inspection and the comprehensive site compliance inspection.

(a) General Requirements. The comprehensive site compliance inspection must be conducted at least once each permit year by one or more qualified employees or designated representatives, including at least one member of the stormwater pollution prevention team. The inspection must include an examination and assessment of:

(1) all areas identified in the Inventory of Exposed Materials section of the SWP3;

(2) all structural controls, including the maintenance and effectiveness;

(3) all non-structural controls (e.g., good housekeeping measures, scheduling, etc.);

(4) all areas where spills and leaks have occurred in the past three (3) years;

(5) all reasonably accessible areas immediately downstream of each outfall that is authorized under this general permit;

(6) industrial materials, residue, or trash that may have or could come into contact with stormwater;

(7) leaks or spills from industrial equipment, drums, tanks, and other containers;

(8) offsite tracking of industrial or waste materials, or sediment where vehicles enter or exit the site;

(9) tracking or blowing of raw, final, or waste materials from areas of no exposure to exposed areas;

(10) a review of the results of the past year's visual and analytical monitoring when planning and conducting inspections that are required by this general permit; and

(11) any control measures needing replacement, maintenance, or repair.

(b) Annual Comprehensive Site Compliance Inspection Report. Within 30 days of performing the annual site compliance inspection, the permittee shall prepare a report that includes a narrative discussion of compliance with the current SWP3. The report must be signed and certified in accordance with Part III, Section E.6.(c) of this permit, and must either be included as a part of the SWP3 or referenced in the SWP3 and be made readily available for inspection and review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction. The report must document all of the following information:

(1) name(s) and title(s) of the personnel conducting the inspection;

(2) the date(s) of the inspection;

(3) findings from the inspection of areas of the facility;

(4) observations relating to the implementation of control measures:

a. previously unidentified discharges from the site;

b. previously unidentified pollutants in existing discharges;

c. evidence of, or the potential for, pollutants entering the drainage system;

d. evidence of pollutants discharging to receiving waters, and the condition of and around each outfall; and

e. additional control measures needed to address any conditions requiring corrective action identified during the inspection.

(5) revisions to the SWP3 made as a result of the inspection; and

(6) any incidents of non-compliance:

a. An incident of non-compliance is any instance where an element of the SWP3 is either not implemented, or where specific conditions of the permit are not met.

b. If no incidents of non-compliance are discovered, the report must contain a certification by the permittee that the facility, or in the case of a shared SWP3, the portion of the facility the permittee is responsible for, is in compliance with the SWP3.

c. If an incident or incidents of non-compliance is identified, then the report must include all necessary actions to remedy the non-compliance. The identified actions must be completed as soon as practicable, but no later than 12 weeks following the completion of the report.

(c) Revision of the SWP3. Within 12 weeks following the completion of the Annual Site Compliance Inspection Report, the permittee shall revise and implement the SWP3 to include and address the findings of the report. Revisions must include all changes resulting from the report and all applicable updates to the following:

(1) elements of the SWP3 requiring modification;

(2) controls (e.g. structural controls or BMPs) that should be added or modified;

(3) site map;

(4) inventory of exposed materials;

(5) description of the good housekeeping measures;

(6) description of structural and non-structural controls; and

(7) any other element of the plan that was either found to be inaccurate or will be modified.

### 6. Results of Inspections and Monitoring

If the findings of the inspections and monitoring activities in this section demonstrate compliance with the general permit, then the results of the monitoring are not required to be submitted to the TCEQ, unless specifically requested to do so. If the findings of the inspections and monitoring activities described in this section demonstrate non-compliance, the permittee shall submit the results to the TCEQ in accordance with Part III, Section E.6.

### 7. Exceptions to Periodic Inspections and Monitoring

Refer to Part III, Section D.4. for exceptions related to adverse weather conditions and inactive and unstaffed sites.

## Section C. Numeric Effluent Limitations

This section describes two types of numeric effluent limitations. Numeric effluent limitations for hazardous metals and numeric effluent limitations for stormwater discharges subject to federal effluent limitations guidelines.

### 1. Numeric Limitations for Hazardous Metals

All permittees are required to monitor for hazardous metals, unless they qualify for a waiver as described in item (c) below. Monitoring results are kept onsite and are only submitted to TCEQ, when results exceed the daily maximum effluent limitation values in Table 1 below.

**Table 1. Daily Maximum Effluent Limitation**

| Parameter (Total) | Discharges to Inland Waters (mg/L) | Discharges to Tidal Waters (mg/L) | Monitoring Frequency |
|---|---|---|---|
| Arsenic | 0.3 | 0.3 | 1/Year |
| Barium | 4.0 | 4.0 | 1/Year |
| Cadmium | 0.2 | 0.3 | 1/Year |
| Chromium | 5.0 | 5.0 | 1/Year |
| Copper | 2.0 | 2.0 | 1/Year |
| Lead | 1.5 | 1.5 | 1/Year |
| Manganese | 3.0 | 3.0 | 1/Year |

| Parameter (Total) | Discharges to Inland Waters (mg/L) | Discharges to Tidal Waters (mg/L) | Monitoring Frequency |
|---|---|---|---|
| Mercury | 0.01 | 0.01 | 1/Year |
| Nickel | 3.0 | 3.0 | 1/Year |
| Selenium | 0.2 | 0.3 | 1/Year |
| Silver | 0.2 | 0.2 | 1/Year |
| Zinc | 6.0 | 6.0 | 1/Year |

(a) Sampling for Hazardous Metals. A grab sample must be collected at a minimum frequency of once per year at the final outfall or a designated sampling location (also see Part III, Section D.2.). For the purpose of collecting samples for hazardous metals, all designated sampling points must be representative of the discharge(s) from the facility that would reach surface water in the state.

(1) Samples of discharges collected at the final outfall must be collected either immediately prior to entering surface water in the state or immediately prior to leaving the permitted facility property.

(2) Samples of discharges collected at a designated sampling point must be collected in accordance with the requirements in Part III, Section E.4. of this permit.

A designated sampling point must be established when it can be determined that samples taken at a final outfall, as described in item (1) above, would not be considered representative of the discharge from the facility.

(3) If there is not an obvious outfall location, a designated sampling point may need to be created in accordance with the requirement in Part III, Section E.4.(a) of this permit.

(b) Reporting Requirements for Hazardous Metals.

(1) Monitoring must for Hazardous Metals be conducted prior to December 31 for each annual monitoring period and the results must be reported as required in Part III, Section E.6. A copy of the discharge monitoring report (DMR) must either be retained at the facility or must be made readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction by March 31 following the annual monitoring period.

(2) Results of monitoring for determining compliance with numeric effluent limitations must be kept onsite and recorded on a DMR. The DMR must either be a copy of record from the NetDMR system, an original EPA No. 3320-1 form, a duplicate of the form, or as otherwise provided by the executive director.

(3) Analytical results that exceeds the effluent limitations, listed above in Table 1, are a permit violation and must be submitted electronically using the online NetDMR reporting system available through the TCEQ website, unless the permittee requests and obtains an electronic reporting waiver. Permittees that are issued an electronic reporting waiver shall submit analytical results to the TCEQ Enforcement Division (MC-224) on an approved DMR form (EPA No. 3320-1), a duplicate of the form, or as otherwise provided by the executive director.

(4) Results that exceeds one or more of the numeric limitations listed above in Table 1, must be reported by March 31 following the annual monitoring period in which the violation(s) occurred.

(c) Waiver from Hazardous Metals Monitoring.

Permittees qualify for a waiver from monitoring requirements for one or more hazardous metals if one of the following criteria is met, and the waiver is obtained by certifying the conditions exist. The criteria under which the waiver is claimed, must also be identified in the SWP3. This certification must be completed on a form provided by the executive director. A new form must be completed during each permit term, no later than prior to the first sampling event that the permittee is seeking to waive. The form must be either maintained onsite or made readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction.

Waivers may be obtained on a metal by metal basis, or on an outfall by outfall basis as follows:

(1) the permittee certifies that the regulated facility does not use a raw material, produce an intermediate product, or produce a final product that contains one (1) or more of the hazardous metals listed in Table 1 above; or

(2) the permittee certifies that any raw materials, intermediate products, or final products that contain one or more hazardous metal are never exposed to stormwater or runoff (final products are not considered to expose hazardous metals to stormwater or runoff if the final product is designed for outdoor use, unless it is a product that could be transported by stormwater runoff or the final product will be used as a material or intermediate product); or

(3) the permittee collects a sample from the first available discharge from the facility occurring during first sampling period of this permit, analyzes the sample for one or more of the listed hazardous metals, and the results indicate that the metal(s) is/are not present in detectable levels. Test methods used must be sensitive enough to detect the following parameters at the MAL specified below, and results of sampling must be retained on site and available for review by TCEQ personnel:

**Table 2. Minimum Analytical Levels (MAL) for Hazardous Metals**

| **Pollutants** | **MAL (mg/L)** |
|---|---|
| Arsenic, total | 0.0005 |
| Barium, total | 0.003 |
| Cadmium, total | 0.001 |
| Chromium, total | 0.003 |
| Copper, total | 0.002 |
| Lead, total | 0.0005 |
| Manganese, total | 0.0005 |
| Mercury, total | 0.000005 |
| Nickel, total | 0.002 |

| Pollutants | MAL (mg/L) |
|---|---|
| Selenium, total | 0.005 |
| Silver, total | 0.0005 |
| Zinc, total | 0.005 |

When an analysis of a discharge sample for any of the parameters listed above indicates no detectable levels above the MAL, and the test method detection level is as sensitive as the specified MAL, a value of zero (0) may be used for that measurement, and a waiver may be obtained for the duration of the permit term following the sample collection, for any hazardous metal that measures zero (0).

(4) Hazardous metals monitoring waivers are effective beginning on the date that the waiver certification is made following submittal of an NOI and lasting for the duration of the term of this general permit. The permittee will be required to comply with any requirements of a reissued general permit with respect to sampling and waivers, including obtaining a new hazardous metals monitoring waiver (see the criteria listed above).

(d) Relation to Benchmark Monitoring. If a facility is required to sample for any of the above hazardous metals as part of the benchmark requirements in Part V, then the permittee is subject to the effluent limitations listed in Table 1 above for those hazardous metals sampled at a final outfall as part of benchmark monitoring. There are no waivers available for pollutants that are required in Part V of the general permit. If sampling for benchmark metals is not performed at a final outfall, then the above effluent limits may not apply for the benchmark sample if the sample is not representative of the discharge from the site. In this situation, the discharge must also be sampled at each final outfall to comply with the sampling and analyses requirements of this section.

**2. Discharges Subject to Federal Categorical Guidelines**

Part V of this general permit includes additional effluent limitations for certain stormwater discharges as required under 40 CFR Subchapter N Parts 400-471. Only those stormwater discharges identified in Table 3 below are eligible for coverage under this permit. The permittee is subject to the sampling and reporting requirements as stipulated below, along with the applicable sections of Part III, Section D, and Part V.

**Table 3. Stormwater- Sector Specific Numeric Effluent Limitations Guidelines**

| Regulated Discharge | 40 CFR Section | MSGP Sector |
|---|---|---|
| Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas | Part 429, Subpart I | A |
| Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, finished products, by-products or waste products (SIC 2874) | Part 418, Subpart A | C |
| Runoff from asphalt emulsion facilities | Part 443, Subpart A | D |

| Regulated Discharge | 40 CFR Section | MSGP Sector |
|---|---|---|
| Runoff from material storage piles at cement manufacturing facilities | Part 411, Subpart C | E |
| Mine dewatering discharges at crushed stone, construction sand and gravel, or industrial sand mining facilities | Part 436, Subparts B, C, and D | J |
| Runoff from coal storage piles at steam electric generating facilities | Part 423 | O |
| Runoff containing urea from airfield pavement deicing at existing and new primary airports with 1,000 or more annual non-propeller aircraft departures | Part 449 | S |

(a) Sample Type: Grab samples must be collected for analyses prior to combining with other flows.

(b) Reporting Requirements for Sector Specific Numeric Effluent Limitations Guidelines. Monitoring for compliance with numeric effluent limitations guidelines in this section and in Part V is subject to the following requirements:

(1) Results of monitoring must be submitted online using the NetDMR reporting system available through the TCEQ website unless the permittee requests and obtains an electronic reporting waiver. Permittees that are issued an electronic reporting waiver shall submit analytical results to the TCEQ Enforcement Division (MC-224) on an approved DMR form (EPA No. 3320-1), a duplicate of the form, or as otherwise provided by the executive director.

(2) Monitoring must be conducted prior to December 31 for each annual monitoring period and the results must be submitted to TCEQ by March 31 of the following year, as described in Part III, Section E.6. of this permit.

(3) In addition, a copy of the DMR must either be retained at the facility or must be made readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction my March 31 following the annual monitoring period.

## Section D. General Monitoring and Records Requirements

### 1. Qualifying Storm Events

For purposes of the MSGP, a qualifying storm event is an event that results in a discharge from the permitted facility. For qualifying storm events, the following requirements apply:

(a) Monitoring, sampling, examinations, and inspections of stormwater discharges that are required as a provision of this general permit must be conducted on discharges from a measureable storm event that results in an actual discharge from the site, and that follows the preceding measurable storm event by at least 72 hours (3 days). The 72-hour storm interval does not apply if the permittee is able to document in the SWP3 that less than a 72-hour (3-day) interval is representative for local qualifying storm

events during the sampling period. In the case of snowmelt, the monitoring must be performed at a time when a measurable discharge occurs at the site.

(b) A facility that has retention ponds as BMPs will not always have a discharge from the pond(s) immediately following a qualifying storm event. If any storm events occurred prior to discharge from the outfall, regardless of the time period between the last storm event and the discharge, the permittee may consider the discharge to be the result of the previous qualifying storm event.

(c) The permittee shall maintain an on-site rain gauge, a representative weather station, or subject to TCEQ's approval, an alternative means of compliance to determine when a qualifying storm event occurs. The on-site rain gauge, representative weather station, or the alternative means of compliance must be monitored a minimum of once per week, and once per day during storm events. Records of the date and rainfall total must be retained on-site or made readily available for review. If there is no rain during a given week, the permittee shall monitor and record a zero rainfall total or no rain for the week. Monitoring and recordkeeping of the on-site rain gauge, representative weather station, or the alternative means of compliance may be temporarily suspended during a given monitoring period if a qualifying storm event has occurred and the required sampling and analyses or visual observations have been performed.

**2. Representative Discharge Samples**

(a) All samples must be representative of the discharge.

(1) Sampling should be conducted within the first 30 minutes of discharge using a grab sample. Sampling from retention ponds described in Part III, Section D.1.b. above should be conducted within 30 minutes of the initiation of discharge from the pond. If it is not practicable to collect the sample or to complete the sampling within the first 30 minutes, then sampling must be completed within the first hour of discharge.

If sampling is not completed within the first 30 minutes of discharge, the reason must be documented and attached to all required reports and records of the sampling activity.

In the case of snowmelt, samples must be taken during a period with a measurable discharge.

(2) If alternate sampling requirements are defined in the permit where numeric effluent limitations have been established, the permittee shall comply with the requirements described in the section with the numerical effluent limits; however, other applicable portions of this section will still apply.

(3) Authorized Stormwater Discharges that Combine with Other Permitted Flows. If stormwater discharges authorized under this general permit combine with other stormwater or with wastewater authorized under a separate permit, then sampling must be conducted at a point before the waters combine.

(4) Non-Stormwater Discharges. Monitoring of allowable non-stormwater discharges is only required when they are commingled with stormwater discharges associated with industrial activity.

(b) Representative Discharges from Substantially Similar Outfalls.

(1) Monitoring requirements apply to all outfalls authorized by this permit, unless the permittee establishes substantially similar outfall(s). If discharges of stormwater

through two (2) or more outfalls show substantially similar effluents, then sampling and monitoring may be conducted at only one (1) of those outfalls that are substantially similar, and the results may be reported as representative of the discharge from the substantially similar outfall(s).

Before results may be submitted as representative of discharges from substantially similar outfalls, the permittee shall ensure that the SWP3 includes a description of all outfall locations and a detailed justification of why the discharge qualities from the outfalls are substantially similar.

To determine if outfalls are substantially similar, the following characteristics of each outfall must be compared:

a. the industrial activities that occur in the drainage area to each outfall;

b. significant materials stored or handled within the drainage area to each outfall; and

c. the management practices and pollution control structures that occur within the drainage area of each outfall.

(2) Substantially similar outfalls may be established for the following monitoring requirements described in this general permit:

a. Quarterly Visual Monitoring (Part III, Section B.3);

b. Hazardous Metals Monitoring (Part III, Section C); and

c. Benchmark Monitoring (Parts IV and V)

(3) Substantially similar outfalls may not be established for the following:

a. Outfalls with any non-stormwater discharges; and

b. Outfalls with discharges subject to numeric effluent limits listed in Part V (sector-specific effluent limits).

(4) The following information must be documented in the SWP3 if the substantially similar outfall exception is being used for any required monitoring:

a. location of each of the substantially similar outfalls;

b. description of the general industrial activities conducted in the drainage area of each outfall;

c. description of the control measures implemented in the drainage area of each outfall;

d. description of the exposed materials located in the drainage area of each outfall that are likely to be significant contributors of pollutants to stormwater discharges;

e. estimate of the runoff coefficient of the drainage areas;

f. explanation regarding why the outfalls are expected to discharge substantially similar effluents; and

g. assurance that control measures have been assessed and modified as appropriate for each outfall represented by the monitored outfall, if necessary due to stormwater contamination being identified through visual assessment of substantially similar outfall.

### 3. Monitoring Periods

(a) Sampling, inspections, and examinations that are required on a quarterly basis must be conducted during the following periods:

**First (1st) quarter**: January 1 thru March 31;
**Second (2nd) quarter**: April 1 thru June 30;
**Third (3rd) quarter**: July 1 thru September 30; and
**Fourth (4th) quarter**: October 1 thru December 31.

Permittees shall begin required sampling, inspections, and examinations on a quarterly basis in the first full quarter following submission of an NOI.

(b) Sampling, inspections, and examinations that are required on a semiannual basis must be conducted during the following periods:

**First (1st) period**: January 1 thru June 30; and
**Second (2nd) period**: July 1 thru December 31.

Permittees shall begin required sampling, inspections, and examinations on a semiannual basis in the first full period following submission of an NOI.

(c) Monitoring, inspections, and examinations that are required on an annual basis must be conducted before December 31st of each calendar year, beginning with the calendar year that includes the first full quarter following submittal of an NOI.

### 4. Exceptions to Monitoring Requirements

(a) Adverse Conditions.

(1) Requirements to sample, inspect, examine or otherwise monitor stormwater discharges within a prescribed monitoring period may be temporarily suspended for adverse conditions. Adverse conditions are conditions that are either dangerous to personnel (e.g., high wind, excessive lightning) or conditions that prohibit access to a discharge (e.g., flooding, freezing conditions, extended periods of drought). Adverse conditions that result in the temporary suspension of a permit requirement to sample, inspect, examine, or otherwise monitor stormwater discharges must be documented and included as part of the SWP3. Documentation must include:

a. the date and time of the adverse condition,

b. names of personnel that witnessed the adverse condition,

c. a narrative for the nature of the adverse condition, and

d. readings of the on-site rain gauge, representative weather station, or subject to TCEQ's approval, the alternative means of compliance.

(2) Monitoring Waivers. When monitoring is temporarily suspended due to adverse conditions, that monitoring must be conducted at the next representative rain event or in the next monitoring period, whichever comes first, in addition to any monitoring required for that period. If the temporarily suspended monitoring requirement cannot be fulfilled during the next monitoring period due to continued adverse conditions, then it is permanently waived for both monitoring periods.

(3) The SWP3 must include records of why monitoring was temporarily suspended due to adverse conditions.

(b) Inactive Facilities. Permitted facilities in this inactive status must provide written notice to the executive director of this status by submitting an NOC. Following this notification, permit requirements to sample, inspect, examine, or otherwise monitor stormwater discharges are waived during the period that a facility maintains inactive status, unless the requirements in Part V. of this permit include specific requirements for inactive facilities.

Inactive facilities must notify the executive director by submitting an NOC according to Part II.C.6 at least 48 hours before commencing industrial activities and transferring to active status.

(c) Lack of Qualifying Storm Event. When monitoring was not possible due to a lack of a qualifying storm event as documented in the rain gauge recording, representative weather station, or subject to TCEQ's approval, the alternative means of compliance, monitoring is temporarily suspended.

## 5. Records Retention

Monitoring and reporting records, copies of all other records required by this general permit, and records of all data used to complete the application for this general permit must be retained at the facility or must be made readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction for a period of three (3) years from the date of the record or sample, measurement, report, application, or certification. This period must be extended at the request of the executive director.

The SWP3 must be maintained and be made readily available for inspection and review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction. Additionally, a copy of all SWP3s for the preceding three (3) year period must be maintained and made readily available for review. In circumstances where the number of revisions to the SWP3 makes this requirement burdensome, a log or record of revisions for the preceding three (3) year period may be maintained and made available.

If the general permit is terminated or allowed to expire without renewal, the SWP3 must be maintained and made readily available for review for a minimum period of one (1) year following cessation of permit coverage.

## 6. Monitoring and Inspection Documentation

The procedures for conducting the required analytical monitoring must be documented in the SWP3.

(a) For each type of monitoring required in the permit, the SWP3 must include the following:

(1) a list of locations where samples are collected, including any determination that two (2) or more stormwater only outfalls are considered to be substantially similar;

(2) parameters that must be sampled, including the frequency of sampling for each parameter;

(3) schedules for conducting monitoring activities;

(4) any numeric control values applicable to discharges from each outfall (e.g., benchmark sampling levels, numeric effluent limitations, or other requirements); and

(5) procedures for gathering storm event data.

(b) If the permittee is not conducting monitoring due to claiming an inactive and unstaffed site, the information to support this claim must be included in the SWP3.

(c) The procedures for performing the inspections specified by this permit must be documented in the SWP3, including routine facility inspections, quarterly visual assessment of stormwater discharges, and comprehensive site inspections.

For each type of inspection performed, the SWP3 must identify the person(s) or positions of person(s) responsible for inspection; schedules for conducting inspections, including tentative schedule for facilities in climates with irregular stormwater runoff discharges; and specific items to be covered by the inspection, including schedules for specific outfalls.

## Section E. Standard Permit Conditions

30 TAC Chapter 305 requires certain regulations appear as standard conditions in waste discharge permits. 30 TAC §§305.121 - 305.129, Subchapter F, Permit Characteristics and Conditions, as promulgated under the TWC §§5.103 and 5.105, the Texas Health and Safety Code §§361.017 and 361.024(a), and those sections of 40 CFR Part 122 adopted by reference by the Commission, establish the characteristics and standards for waste discharge permits. This section includes these conditions and incorporates them into this general permit. More specific requirements for some of these standard permit conditions may be defined for specific sectors of industrial activity that are authorized to discharge under this general permit.

### 1. General Conditions

(a) Duty to Comply.

(1) Submission of an NOI for permit coverage is an acknowledgment that the applicant agrees to comply with the conditions of the general permit. Acceptance of authorization under the provisions of this general permit constitutes acknowledgment and agreement that the permittee will comply with all the terms and conditions embodied in the permit, and the rules and other orders of the Commission.

(2) The permittee has a duty to comply with all conditions of the permit. Failure to comply with any permit condition constitutes a violation of the permit and the Texas Water Code or the Texas Health and Safety Code and is grounds for enforcement action, for revocation or suspension of coverage under this general permit, and for requiring a permittee to apply for a TPDES individual permit or coverage under an alternative general permit.

(b) Toxic Pollutants.

(1) If any toxic effluent standard or prohibition is promulgated according to the TWC §26.023 for a toxic pollutant that is present in the discharge and that standard or prohibition is more stringent than the conditions of this general permit, this general permit must be modified or revoked and reissued to conform to the toxic effluent standard or prohibition.

(2) The permittee shall comply with effluent standards or prohibitions established according to the TWC §26.023 for toxic pollutants within the time provided in the regulations that established those standards or prohibitions, even if this general permit has not yet been modified to incorporate the requirement.

(c) Permit Flexibility. Authorization under this general permit may be modified, suspended or revoked for cause according to 30 TAC §§305.62 and 305.66 and the TWC Section §7.302. The filing of a notice of planned changes or anticipated non-compliance does not stay any permit condition.

(d) Property Rights. A permit does not convey any property rights of any sort, or any exclusive privilege.

(e) Duty to Provide Information. The permittee shall furnish to the executive director, upon request, any information, including records that are maintained as a requirement of this permit, necessary to determine whether cause exists for revoking, suspending, or terminating authorization under this general permit.

(f) Criminal and Civil Liability.

(1) As provided by state law, the permittee is subject to administrative, civil and criminal penalties, as applicable, for negligently or knowingly violating the CWA, the TWC, Chapters 26, 27, and 28, and Texas Health and Safety Code, Chapter 361, including but not limited to: knowingly making any false statement, representation, or certification on any report, record, or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance; falsifying or tampering with or knowingly rendering inaccurate any monitoring device or method required by this permit; or violating any other requirement imposed by state or federal regulations. Nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for non-compliance.

(2) Any false or materially misleading representation or concealment of information required to be reported by the provisions of the permit or applicable regulation, which avoids or effectively defeats the regulatory purpose of this general permit, may subject the permittee to criminal enforcement.

(g) Severability. The provisions of this general permit are severable and if any provision of this permit or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this general permit, shall not be affected thereby.

**2. Proper Operation and Maintenance**

(a) Need to Halt or Reduce Not a Defense. It is not a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this general permit.

(b) Duty to Mitigate. The permittee shall take all reasonable steps to minimize or prevent any discharge or other permit violation that has a reasonable likelihood of adversely affecting human health or the environment.

(c) Operation of Treatment and Control Systems.

(1) The permittee shall at all times ensure that the facility and all of its systems of collection, treatment, and disposal are properly operated and maintained in a manner that will minimize discharges of excessive pollutants and will achieve compliance with the conditions of this permit. Proper operation and maintenance also include adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary systems that are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

(2) The permittee shall provide an adequate operating staff that is duly qualified to carry out operation, maintenance, and testing functions required to ensure compliance with the conditions of this general permit.

(d) Anticipated Non-compliance. The permittee shall give advance notice to the executive director of any planned changes in the permitted facility or activity that may result in non-compliance with permit requirements.

**3. Inspection and Entry Requirements**

(a) Inspection and Entry. Inspection and entry must be allowed as prescribed in the TWC Chapters 26, 27, and 28, and Texas Health and Safety Code Chapter 361.

(b) Entry to Public or Private Property. The members of the Commission and employees and agents of the Commission are entitled to enter any public or private property at any reasonable time for the purpose of inspecting and investigating conditions relating to the quality of surface water in the state or the compliance with any rule, regulation, permit or other order of the Commission. Members, employees, or agents of the Commission and Commission contractors are entitled to enter public or private property at any reasonable time to investigate or monitor or, if the responsible party is not responsive or there is an immediate danger to public health or the environment, to remove or remediate a condition related to the quality of surface water in the state. Members, employees, Commission contractors, or agents acting under this authority who enter private property shall observe the establishment's rules and regulations concerning safety, internal security, and fire protection, and if the property has management in residence, shall notify management or the person then in charge of his presence and shall exhibit proper credentials. If any member, employee, Commission contractor, or agent is refused the right to enter in or on public or private property under this authority, the executive director may invoke the remedies authorized in TWC §7.002.

**4. Monitoring and Sampling**

(a) Representative Sampling. Samples and measurements taken for the purpose of monitoring must be representative of the monitored activity or activities and must be taken at an outfall or outfalls that will best represent the types of industrial activity or activities conducted at a facility site. If no obvious outfall location is present (e.g., a diffuse point source), the permittee may need to create a sampling point. This may include creating a depression or using physical means (e.g., sandbags or curbs) to direct the runoff for easier collection for sampling and measurement purposes.

(b) Benchmark Monitoring. This type of monitoring differs from monitoring for compliance with numeric effluent limitations. Results from benchmark monitoring are used to determine if the selected BMPs are effective. The samples should be collected from internal or external outfalls where the BMPs are installed.

(c) Monitoring Procedures.

(1) Unless otherwise specified in this permit, test procedures for the analysis of pollutants shall comply with procedures specified in 30 TAC §§319.11 - 319.12.

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

(d) Monitoring Results. Monitoring results must be provided at the intervals specified in this general permit.

(e) Additional Monitoring by the Permittee. If the permittee monitors any pollutant more frequently than required by this general permit using approved analytical methods, all results of the monitoring must be included in the calculation and reporting of the values recorded on the DMR and must be included in any other calculation, record, or reports required to be maintained as a provision of this general permit. Increased frequency of sampling must be indicated on the DMR.

**5. Records Requirements**

(a) Retention of Records.

(1) The period records are required to be retained must be automatically extended to the date of the final disposition of any administrative or judicial enforcement action that may be instituted against the permittee.

(2) Monitoring and reporting records, including records of calibration and maintenance, and copies of all records and reports required by this permit, must be retained at the facility or must be readily available for review by a TCEQ representative for a period of three years from the date of the record or sample, measurement, report, application or certification unless otherwise specified in this permit. This period must be extended at the request of the executive director.

(b) Record Contents.

Records of monitoring must include, at a minimum, the following:

(1) date, time, and place of sample or measurement;

(2) identity of the individual who collected the sample, made the measurement or observation, or performed the analysis;

(3) date and time the sample, measurement, or observation was made, and the analysis conducted;

(4) identity of the individual and laboratory who performed the analysis;

(5) technique or method of analysis;

(6) results of the measurement, observation, or analysis; and

(7) quality assurance/quality control records.

**6. Reporting Requirements**

(a) Self-Reporting of Numeric Effluent Limits Results.

(1) Results of analyses for determining compliance with numeric effluent limitations must be submitted online using the NetDMR reporting system available through the TCEQ website unless the permittee requests and obtains an electronic reporting waiver. Permittees that are issued an electronic reporting waiver shall submit analytical results to the TCEQ Enforcement Division (MC-224) on an approved DMR form (EPA No. 3320-1). Effluent sampling shall be conducted in accordance with the monitoring frequencies specified in this general permit.

(2) Monitoring must be conducted prior to December 31 for each annual monitoring period. Results of the monitoring must be recorded on a DMR and made available by March 31 of the following year as described below:

a. DMRs for hazardous metals sampling (see Part III, Section C.1. of this general permit) must either be retained at the facility or must be otherwise made readily available for review upon request by March 31 of the following year. DMRs are only submitted to TCEQ, when results exceed permit limits in Table 1, Part III, Section C.1.

b. In addition, DMRs for the following sampling results must be submitted online using the NetDMR reporting system, unless the permittee has obtained an electronic reporting waiver, in which case a paper DMR form must be submitted:

(i) Exceedance of any numeric effluent limits for hazardous metals. (also see Part III, Section E.6.(b) below), and

(ii) Results of all sampling and monitoring performed to comply with federal numeric effluent limitations guidelines (40 CFR Subchapter N - Parts 400 through 471) as described in Part III, Section C.2 and Part V of this permit (See Part V, Sections A.7., C.4., D.4., E.5., J.6., O.5., and S.6.).

c. If no discharge occurs from facilities subject to monitoring for numeric effluent limitations, a DMR must be submitted that indicates no discharge occurred during the reporting period. In addition to reporting requirements for numeric effluent limits that are recorded on DMRs, the permittee shall report to the TCEQ the results of all sampling and monitoring performed to comply with any non-numeric requirements as described in Part V of this permit, and this information shall be submitted along with the DMR form by March 31 of each year.

(b) Non-compliance Notification.

(1) According to 30 TAC §305.125(9) any non-compliance that may endanger human health or safety, or the environment, must be reported by the permittee to the TCEQ. Report of such information must be provided orally or by electronic facsimile transmission (fax) to the TCEQ regional office within 24 hours of becoming aware of the non-compliance. A written report must be provided by the permittee to the TCEQ regional office and to the TCEQ Enforcement Division (MC-224) within five working days of becoming aware of the non-compliance. The written report must contain:

a. a description of the non-compliance and its cause;

b. the potential danger to human health or safety, or the environment;

c. the period of non-compliance, including exact dates and times;

d. if the non-compliance has not been corrected, the anticipated time it is expected to continue; and

e. steps taken or planned to reduce, eliminate, and prevent recurrence of the non-compliance, and to mitigate its adverse effects.

(2) In addition to the above, any violation that exceeds the permitted effluent limitation by more than 40% must be reported in writing to the appropriate TCEQ regional office and to the Enforcement Division (MC-224) within five working days of becoming aware of the non-compliance.

(3) Other Non-compliance.

In addition to the reporting requirements listed in Part III, Sections E.6.(b)(1) and (2) above, any non-compliance with the permit must be reported in writing to the TCEQ:

a. Any other non-compliance(s) as described in Part III.B.5(b)(6)(a) must be reported to the TCEQ by March 31 following the calendar year in which the non-compliance(s) occurred. The permittee shall report any additional non-compliance(s) not described above under this paragraph to the TCEQ, Information Resource Division, MC-213, or to the address shown on a reporting form, if one is made available by TCEQ. The permittee may meet this requirement by submitting a copy of the Annual Comprehensive Site Compliance Inspection Report (see Part III, Section B.5.(b)) or by submitting a narrative explanation of the non-compliance(s).

(c) Signatory Requirements for Reports and Certifications. All reports and certifications required in this permit or otherwise requested by the executive director must be signed by the person and in the manner required by 30 TAC §305.128 (relating to Signatories to Reports).

(d) Other Information. When the permittee becomes aware that it either submitted incorrect information or failed to submit any relevant facts on an NOI, NOT, NEC, NOC, or any report, it must promptly submit the facts or information to the executive director.

**7. Solid Waste**

(a) Industrial Solid Waste

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

(1) Any solid waste, as defined in 30 TAC §335.1, generated by the permittee during the management and treatment of stormwater, must be managed according to all applicable provisions of 30 TAC Chapter 335, relating to Industrial Solid Waste and Municipal Hazardous Waste.

For the purpose of stormwater treatment, a solid waste management unit includes structural controls such as detention ponds, retention ponds, or other similar dedicated ponds used for removal of pollutants in stormwater, and does not include other control structures such as berms; grass swales; pipes and ditches (or similar stormwater conveyances); or silt fences.

(2) Stormwater that is being collected, accumulated, stored, or processed within a solid waste management unit, before discharge through any final outfall authorized by this permit, is considered to be solid waste until the stormwater passes through the actual point source discharge, and must be managed according to all applicable provisions of 30 TAC Chapter 335.

(3) The permittee shall provide written notification, pursuant to the requirements of 30 TAC §335.6, to the Corrective Action Section (MC-127) of the Remediation Division informing the Commission of any closure activity involving a Solid Waste Management Unit, at least 90 days prior to conducting such an activity.

(4) Construction of any solid waste management unit requires the prior written notification of the proposed activity, pursuant to the requirements of 30 TAC §335.6(a) to the Registration and Reporting Section (MC 129) of the Permitting and Registration Support Division. No person shall dispose of industrial solid waste or municipal hazardous waste, including sludge or other solids from

stormwater treatment processes, prior to fulfilling the deed recordation requirements of 30 TAC §335.5.

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

a. volume of waste and date generated from treatment process;

b. volume of waste disposed of onsite or shipped off-site;

c. date of disposal;

d. identity of hauler or transporter;

e. location of disposal site; and

f. method of final disposal.

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

(b) Municipal Solid Waste

All facilities regulated under this general permit that generate municipal solid waste must comply with applicable rules and regulations, including 30 TAC Chapter 330.

## Part IV. BENCHMARK MONITORING REQUIREMENTS

This permit specifies pollutant benchmark concentrations that are applicable to certain industrial sectors/subsectors. Benchmark monitoring data are primarily used to determine the overall effectiveness of selected BMPs.

### Section A. Use of Benchmark Data

#### 1. Monitoring for Benchmark Parameters in Discharges

The permittee shall monitor the discharge(s) from regulated industrial activities as required in Part III.E.4(b) and Part V of this general permit, for the benchmark parameters specified within each section of Part V. Benchmark monitoring is required for the industrial sector(s) listed in Part V of this permit that are applicable to the permittee's facility/site. This includes the primary industrial activity and any co-located industrial activities (i.e., secondary industrial activities) that are conducted at the site and are described in this permit.

(a) The permittee shall compare the results of the benchmark analyses to the benchmark values for any pollutant(s) that the permittee is required to monitor according to Part V of this general permit, and shall include this comparison in the overall assessment of the SWP3's effectiveness. Analytical results that exceed a benchmark value are not a violation of this permit, as these values are not numeric effluent limitations. However, not conducting benchmark sampling, not submitting the benchmark monitoring form with sample results, or not submitting the benchmark monitoring form with an explanation as to why the sampling failed to be conducted is a violation of the permit requirements for benchmark monitoring submittal. Exceedances of benchmark values indicate that modifications to the SWP3 and current BMP(s) may be necessary.

(b) The permittee is not eligible for a sampling waiver under Part III, Section C. of this permit for any hazardous metals that are required to be sampled as part of benchmark monitoring. The permittee is subject to the effluent limitations in Part III, Section C. for any monitoring for hazardous metals that is conducted at a final outfall.

(c) Sampling, monitoring, and analyses must be conducted according to procedures specified in Part III, Section E.4. of this permit unless otherwise specified and using test procedures with minimum analytical levels (MALs) at or below benchmark values for all the benchmark parameters for which sampling is required.

**2. Background Concentrations**

If during benchmark monitoring the average concentration of a pollutant exceeds a benchmark value and it is determined that the exceedance is attributable solely to the presence of that pollutant in the natural background, the permittee is not required to perform corrective action or additional benchmark monitoring provided that:

(a) the average concentration of the benchmark monitoring results are less than or equal to the concentration of the pollutant in the natural background;

(b) the permittee documents in the SWP3 the supporting rationale for concluding that benchmark exceedance are attributable solely to natural background pollutant levels, as outlined in Part IV, Section A.2.of this permit. Any data previously collected (including literature studies) must be included in the supporting rationale that describe the levels of natural background pollutants in the stormwater discharge; and

(c) the permittee notifies TCEQ in writing during the reporting period for the sampling period that the permittee determined the benchmark exceedance are attributable solely to natural background pollutant levels.

Natural background pollutants include substances that are naturally occurring in the soil or groundwater. Natural background pollutants do not include legacy pollutants from earlier activity at the site, or pollutants in runon from neighboring sources that are not naturally occurring. Background concentrations may be identified by laboratory analyses of samples of stormwater runon to the permitted facility, laboratory analyses of samples of stormwater runoff from adjacent non-industrial areas, or by identifying the pollutant as a naturally occurring material in soil at the site.

**3. Investigations of Benchmark Value Exceedences**

The Pollution Prevention Team must investigate the cause for each exceedance and must document the results of this investigation in the SWP3 within 90 days following the sampling event.

The Pollution Prevention Team investigation must identify the following:

(a) any additional potential sources of pollution, such as spills that might have occurred;

(b) necessary revisions to the Good Housekeeping Measures section of the SWP3;

(c) additional BMPs, including a schedule to install or implement the BMPs; and

(d) other parts of the SWP3 for which revisions are appropriate.

Background concentrations of specific pollutants may be considered during the investigation as described in Part IV, Section A.2. above. If the Pollution Prevention Team is able to relate the cause of the exceedance to background concentrations, then subsequent

exceedance of benchmark values for that pollutant may be resolved by referencing the earlier finding in the SWP3.

**4. Exception for Inactive and Unstaffed Sites**

The requirement for benchmark monitoring does not apply at a facility that is inactive and unstaffed, provided that there are no industrial materials or activities exposed to stormwater and that the permittee performs the following:

(a) include a written statement in the SWP3 stating that the site is inactive and unstaffed, and that there are no industrial materials or activities exposed to stormwater. This statement must be signed and certified in accordance with 30 TAC §305.128; and

(b) immediately begin complying with the applicable benchmark monitoring requirements in this section if circumstances change and industrial materials or activities become exposed to stormwater, or the facility becomes active or staffed, as this creates a condition where the exception no longer applies. Benchmark monitoring must be resumed as if in the first year of permit coverage. The permittee must indicate in the first benchmark monitoring report that the facility has materials or activities exposed to stormwater or has become active or staffed.

(c) If a site or facility is not qualified for this exception at the time authorization is obtained under this permit, but becomes qualified because the facility is inactive and unstaffed at some point during the permit term, and there are no industrial materials or activities that are exposed to stormwater, then the permittee must notify TCEQ in writing of this change in the next benchmark monitoring report. Benchmark monitoring may be discontinued once TCEQ has been notified in writing, and a certification statement has been prepared and signed and certified in accordance with 30 TAC §305.128.

**5. Adverse Weather Conditions**

Sampling under this section is subject to the exceptions related to adverse weather conditions or drought in accordance with Part III, Section D.4. of this general permit.

## Section B. Benchmark Monitoring Requirements

The benchmark monitoring parameters for each industrial sector are listed in Part V of this general permit under the individual sectors. Benchmark monitoring must be conducted once every six months for four (4) years following permit issuance.

**1. Monitoring Periods**

(a) Benchmark monitoring must be conducted once every six months (January through June **or** July through December) following permit issuance, and then once during each subsequent semiannual monitoring period (i.e., January through June and July through December) during the remaining permit term, except that a waiver is available for the third and fourth year according to Part IV, Section B.1.(c) below.

(b) Operators of industrial facilities that obtain coverage after the beginning of a monitoring period shall initiate benchmark monitoring during the first six-month monitoring period (January through June **or** July through December). Because permit renewal occurs in between monitoring periods, the first year of sampling will occur on the first full six-month monitoring period (i.e. January through June). Sampling must be conducted once per semiannual monitoring period (January through June and July

through December) thereafter, for up to a total of four (4) years, or eight (8) semiannual monitoring periods, depending on when coverage is obtained. Monitoring is not required in the calendar year of renewal of the general permit, because this year does not have two full six months monitoring periods. A waiver is available if the annual average results of monitoring during the first two (2) years are all below benchmark levels, in accordance with Part IV, Section B.1.(c) below.

(c) Waiver from Benchmark Monitoring. If the annual average results of benchmark sampling for the first two monitoring years are all below the benchmark levels, the permittee may waive out of benchmark monitoring requirements during the third and fourth monitoring years. To request the waiver from benchmark monitoring, the permittee shall submit an NOC in accordance with Part II.C.6. The annual average result is the average of all samples collected for a particular pollutant for a specific SIC code during the previous calendar year, January through December. If sampling for any monitoring period was not performed, then the average annual result must be calculated using the remaining samples for that calendar year.

Permittees who obtain a waiver are subject to the following limitations:

(1) The permittee may exercise this waiver from benchmark monitoring, so long as the analytical result for any pollutant limited in the annual hazardous metal monitoring does not exceed the corresponding benchmark monitoring level for that pollutant, if that pollutant is included in the list of parameters in Part V of this permit for which monitoring is required of the permittee.

(2) If during monitoring for annual hazardous metals, sampling to comply with sector-specific effluent specific limits, or any additional sampling performed by the facility operator, an analytical result exceeds the benchmark level for a pollutant for which a benchmark waiver was obtained, the permittee shall investigate the source of the exceedance, make the necessary correction or mitigation (as outlined above in section A) and return to performing benchmark monitoring according to: the requirements of Part IV; the applicable schedule outlined in Part III, Section D.3.; and any sector specific requirements that apply.

(3) This waiver does not affect the requirements for a permittee to sample and analyze its discharge to comply with any numeric effluent limitations established in this permit. (See Part III, Section C, related to hazardous metals monitoring, and Part V for discharges subject to federal effluent limitations guidelines listed in Part V of this permit.

**2. Reporting Requirements**

(a) Results of analyses for sampling during benchmark monitoring years one through four, must be submitted to TCEQ before March 31 of each year following sample collection. Permittees who requested a benchmark waiver after the first two monitoring years, following the NOI submittal, are not required to submit sampling results for monitoring years three and four. The reported values must be the average yearly result of analysis for each specific pollutant discharged under a specific SIC code, rather than an outfall-by-outfall, basis. The results must be submitted online using the NetDMR reporting system unless the permittee requests and obtains an electronic reporting waiver. Permittees that request and obtain an electronic reporting waiver shall submit a monitoring results on a form (TCEQ No. 20091) provided by the executive director and mailed to the TCEQ's Stormwater Team (MC-148).

(b) Substantially similar outfalls may be established for benchmark monitoring, in accordance with Part III, Section D.2. of this general permit.

(c) If sampling during any six-month period is not conducted for a pollutant due to adverse weather conditions or drought in accordance with Part III, Section D.4. of this general permit, then the reported average annual result must be based on data collected for that year. If there is no rain during a given week, the permittee shall monitor and record a zero rainfall total or no rain for the week according to Part III.D.1.(c).

## Part V. SPECIFIC REQUIREMENTS FOR INDUSTRIAL ACTIVITIES

The requirements in Part V of this general permit are sector specific and are in addition to the requirements in Parts III and IV of this general permit. Where co-located industrial activities occur (refer to Part II, Section A.4. of this general permit) the additional conditions and requirements in Part V of this general permit for each of these activities also apply.

### Section A. Sector A of Industrial Activity - Timber Products Facilities

#### 1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector A. Sector A industrial activities are described by the following Standard Industrial Classification (SIC) codes:

**SECTOR A: TIMBER PRODUCTS**

| *SIC Codes* | *SIC Code Description* |
|---|---|
| 2411 | Log Storage and Handling (without the use of chemical additives in spray water or applied to the logs) |
| 2421 | General Sawmills and Planning Mills |
| 2426 | Hardwood Dimension and Flooring Mills |
| 2429 | Special Product Sawmills, Not Elsewhere Classified |
| 2431 – 2439 | (except 2434) -Millwork, Veneer, Plywood, and Structural Wood (SIC Code 2434 - Wood Kitchen Cabinets, see Sector W) |
| 2441 - 2449 | Wood Containers |
| 2451, 2452 | Wood Buildings and Mobile Homes |
| 2491 | Wood Preserving |
| 2493 | Reconstituted Wood Products |
| 2499 | Wood Products Not Elsewhere Classified |

(See Part II, Section A.1.b for a detailed list of SIC codes)

#### 2. Definitions

(a) Debris. For the purposes of this section, debris is woody material such as bark, twigs, branches, heartwood, or sapwood that will not pass through a 2.54 centimeter (one-

inch) diameter round opening and is present in the discharge from a wet storage facility.

(b) Wet decking water. Water that is intentionally sprayed or deposited onto logs or roundwood that are being stored on land.

**3. Limitations on Permit Coverage**

(a) Prohibition of Process Wastewater. This general permit does not authorize the discharge of wastewater resulting from the storage of logs or round wood before or after removal of bark in self-contained bodies of water (i.e., mill ponds or log ponds). Discharges from these activities must be authorized under an individual TPDES permit or other authorized means, or must be disposed in a manner that does not constitute a discharge into or adjacent to water in the state.

(b) Prohibition of Stormwater from Wood Treatment Areas. This general permit does not authorize the discharge of stormwater that has come in contact with areas where chemical formulations designed to provide wood surface protection and wood preservation were sprayed. Stormwater discharges from these areas must either be captured within a containment structure and disposed of in a manner that does not constitute a discharge into or adjacent to water in the state or must discharged under authority of an individual TPDES permit or other authorized means.

**4. Authorized Non-Stormwater Discharges**

Wet Decking Water. In addition to the non-stormwater discharges allowed under Part II of this general permit, wet decking water may be discharged from lumber and wood storage yards where the wet decking process does not include chemical additives and where chemicals are not applied to the wood during storage.

**5. Description of Potential Pollutants and Sources**

(a) Inventory of Exposed Materials. Facilities that use or have previously used chlorophenolic compounds, creosote, chromium, copper, or arsenic formulations for the surface protection of wood or wood preserving activities must address these activities in the SWP3 according to the requirements of Part III, Section A.3. of this general permit. The following areas must be included in the inventory of exposed materials:

(1) areas where treatment chemicals have contaminated any soils;

(2) areas where any wood treatment equipment remains or is stored, including equipment that is no longer in use;

(3) areas where treatment chemicals and treated materials remain; and

(4) BMPs that are implemented to minimize these materials from coming into contact with stormwater.

(b) Site Map. The site map must include documentation of any of the following that may be exposed to stormwater: processing areas, treatment chemical storage areas, treated wood and residue storage areas, wet decking areas, dry decking areas, untreated wood and residue storage areas, and treatment equipment storage areas.

## 6. Pollution Prevention Measures and Controls

The SWP3 must include the following elements in addition to the requirements of Part III, Section A.4 and Part III, Section A.5. of this general permit:

(a) BMPs and good housekeeping measures must be implemented to limit the discharge of wood debris, minimize the leachate generated from decaying wood materials, and minimize the generation of dust.

(b) Structural controls may be used to limit the discharge of wood debris, minimize the leachate generated from decaying wood materials, and minimize the generation of dust.

(c) Facilities that conduct surface protection or preservation of wood products shall develop specific BMPs, including an implementation schedule, to reduce pollution in runoff from these areas of industrial activity.

(d) Periodic Inspections. Periodic inspections for facilities that conduct surface protection or preservation of wood products must include additional inspection procedures for processing areas, transport areas, and treated wood storage areas. The inspection procedures must provide an assessment of the effectiveness of BMPs in minimizing the amount of treatment chemicals that drip on unprotected soils and on other areas that come in contact with stormwater.

(1) Where feasible, the permittee shall conduct monthly inspections, in the same manner as developed for quarterly inspections. If monthly inspections are not feasible, then the permittee shall document the reason in the SWP3 and shall retain a minimum inspection frequency of once per quarter.

(2) The permittee shall conduct monthly inspections of wood treatment areas, treated wood storage areas, and treated wood transport loading and unloading areas to assess the effectiveness of specific BMPs and controls.

(3) Results and records of inspections must be evaluated, maintained, and incorporated into the standard periodic inspection reports as described in Part III, Section B., regardless of the frequency that the inspections are conducted.

(4) Follow-up procedures must be identified to ensure that appropriate actions are taken in response to the evaluations of the inspections.

## 7. Numeric Effluent Limitations

The following numeric effluent limitations, based on guidelines from the Wet Storage Subcategory (Subpart I) of the Timber Products Processing Point Source Category (40 CFR Part 429), apply to discharges of wet decking water. These discharges must not exceed the following numeric effluent limitations and monitoring requirements:

**Table 4. Numeric Effluent Limitations for Sector A Facilities Discharging Wet Decking Water**

| Industrial Activity | Parameter | Effluent Limitation[1] |
|---|---|---|
| Discharges resulting from wet decking water | Debris | No Discharge |
| | pH | 6.0-9.0 S.U. |

[1]Monitor annually

### 8. Benchmark Monitoring Requirements

The following subsectors must conduct benchmark monitoring on discharges of stormwater associated with industrial activities according to the requirements in Part IV of this general permit.

**Table 5. Benchmark Monitoring Requirements for Subsections in Sector A**

| SIC Code | Description of Industrial Activity | Benchmark Parameter | Benchmark Value |
|---|---|---|---|
| 2421 | General Sawmills and Planning Mills | COD<br>TSS<br>Zinc, total | 60 mg/L<br>50 mg/L<br>0.16 mg/L |
| 2491 | Wood Preserving | Arsenic, total<br>Copper, total | 0.010 mg/L<br>0.030mg/L |
| 2411 | Log Storage and Handling (Wet deck storage areas where no chemical additives are used in the spray water or applied to the logs) | TSS | 50 mg/L |
| 2426, 2429, 2431-2439 (except 2434), 2441, 2448, 2449, 2451, 2452, 2493 and 2499 | Hardwood Dimension and Flooring Mills; Special Products Sawmills, not elsewhere classified; Millwork, Veneer, Plywood, and Structural Wood; Wood Pallets and Skids; Wood Containers, not elsewhere classified; Wood Buildings and Mobile Homes; Reconstituted Wood Products; and Wood Products Facilities not elsewhere classified | COD<br>TSS | 60 mg/L<br>50 mg/L |

## Section B. Sector B of Industrial Activity - Paper and Allied Products Manufacturing Facilities

### 1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector B. Sector B industrial activities are described by the following SIC codes:

**SECTOR B: PAPER AND ALLIED PRODUCTS**

| *SIC Codes* | *SIC Code Description* |
|---|---|
| 2611 | Pulp Mills |
| 2621 | Paper Mills |
| 2631 | Paperboard Mills |
| 2652 – 2657 | Paperboard Containers and Boxes |
| 2671 – 2679 | Converted Paper and Paperboard Products, Including Plastic Bags Produced from Plastics Film |

(See Part II, Section A.1.b for a detailed list of SIC codes)

### 2. Benchmark Monitoring Requirements

The following subsectors must conduct benchmark monitoring according to the requirements in Part IV of this general permit and must conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

**Table 6. Benchmark Monitoring Requirements for Subsections in Sector B**

| SIC Code | Description of Industrial Activity | Benchmark Parameter | Benchmark Value |
|---|---|---|---|
| 2631 | Paperboard Mills | COD | 60 mg/L |

## Section C. Sector C of Industrial Activity - Chemical and Allied Products Manufacturing Facilities

### 1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector C. Sector C industrial activities are described by the following SIC codes:

**SECTOR C: CHEMICAL AND ALLIED PRODUCTS**

*SIC Codes* *SIC Code Description*

2812 – 2819 Basic Industrial Inorganic Chemicals

2821 – 2824 Plastic Materials, Synthetic Resins, Non-vulcanizable Elastomers (Synthetic Rubber), Cellulose Plastics Materials, and Other Manmade Fibers Except Glass

2833 – 2836 Medicinal Chemicals and Botanical Products, Pharmaceutical Preparations, In Vitro and In Vivo Diagnostic Substances, Biological Products (Except Diagnostic Substances)

2841 – 2844 Soaps and Detergents; Specialty Cleaning, Polishing, and Sanitation Preparations, Surface Active Agents, Finishing Agents, Sulfonated Oils, and Assistants, Perfumes, Cosmetics, and Other Toilet Preparations

2851 Paints, Varnishes, Lacquers, Enamels, and Allied Products

2861 – 2869 Industrial Organic Chemicals

2873 – 2879 Agricultural Chemicals (Including Fertilizers, Pesticides, Fertilizers Solely from Leather Scraps and Leather Dust, and Mixing of Fertilizers, Compost, and Potting Soils)

2891 – 2899 Miscellaneous Chemical Products (Including Adhesives and Sealants, Explosives, Printing Ink, and Carbon Black)

2911 Petroleum Refineries

3952 (Limited to List)-Inks and Paints, including: China Painting Enamels, India Ink, Drawing Ink, Platinum Paints for Burnt Wood or Leather Work, Paints for China Painting; Artist's Paints, and Artist's Watercolors

(See Part II, Section A.1.b for a detailed list of SIC codes)

**2. Limitations on Permit Coverage**

(a) Prohibition of Contaminated Runoff from Petroleum Refineries. Discharges of stormwater from petroleum refineries subject to federal guidelines found at 40 CFR Part 419 are not authorized under this general permit and must be authorized by an individual TPDES wastewater discharge permit or other authorized means. This general permit only authorizes the discharge of non-process area stormwater runoff from petroleum refineries described by SIC code 2911 that are not subject to 40 CFR Part 419 guidelines.

(b) Prohibition of Non-Stormwater Discharges. Non-stormwater discharges are not eligible for coverage except according to the conditions of Part II, Section A.6. of this general permit. The following non-stormwater discharges are specifically prohibited under this section: discharges containing inks, paints, and other substances resulting from an onsite spill; contents from drip pans; wash-waters from material handling and processing areas; and wash waters/rinse-waters from drums, tanks, and other containers.

**3. Pollution Prevention Measures and Controls/Management of Runoff with Structural Controls**

The following requirements must be included in the SWP3 according to requirements of Part III, Sections A.4. and A.5. of this general permit:

(a) Security System. A security system must be developed to prevent accidental or intentional discharges by unauthorized individuals. The system may include fences, lights, traffic controls, building security, and equipment security.

(b) Practices for Material Handling and Storage Areas. Practices must be developed to conform to the following:

(1) Diking, curbing, berms, or other appropriate controls must be used in areas where liquid or powdered materials are stored to reduce the potential of contamination of stormwater from these materials.

(2) Curbs, culverts, gutters, sewers, or other forms of drainage control must be used to minimize contamination of stormwater in all other outside storage areas, including areas for machinery, scrap and construction materials, and pallets.

(3) Roofs, covers, or other types of protection must be used in all other outside storage areas to limit or prevent exposure of materials to precipitation or runoff.

(4) In areas where liquid or powdered materials are transferred in bulk from truck or rail cars, permittees shall develop and implement measures to minimize contact of materials with precipitation or runoff. Hose connection points at storage containers must be located within containment areas and drip pans or other measures must be used outside the containment area (e.g. at hose reels, connection points with rail cars, tank trucks) to prevent spills from contacting precipitation or runoff.

(5) In areas where materials are transferred as packaged materials, permittees shall consider providing appropriate protection such as overhangs or door skirts to enclose trailer ends at truck loading docks, or equivalent controls.

(6) Structures used to limit pollution at material handling and storage areas should control drainage through the use of manually operated valves or other similar positive control devices. Flapper-type gate valves are not allowed. Pumps may be

used to empty containment areas, but pumps must not be automatically activated. If a facility is not engineered with such controls, the facility's separate storm sewer system should be equipped to prevent or divert a discharge of spilled materials until the materials can be recovered.

## 4. Numeric Effluent Limitations

The following numeric effluent limitations, based on guidelines from the Phosphate Subcategory (Subpart A) of the Fertilizer Manufacturing Point Source Category (40 CFR Part 418), apply to stormwater runoff that has come into contact with any raw materials, intermediate product, finished product, by-product or waste from areas of industrial activity described by SIC code 2874 (Phosphatic Fertilizers). These numeric effluent limits do not apply to other discharges covered under this section.

Samples of these discharges must be obtained before the runoff combines with other stormwater runoff. Discharges must not exceed the following numeric effluent limitations, and are subject to monitoring as follows:

**Table 7. Numeric Effluent Limitations for Sector C Facilities Discharging from Phosphate Fertilizer Manufacturing Activities**

| Industrial Activity | Parameter | Limitations Daily Avg[1,2] | Limitations Daily Max |
|---|---|---|---|
| Phosphate fertilizer manufacturing (SIC 2874) | Total Phosphorus (as P) | 35 mg/L | 105 mg/L |
| | Fluoride | 25 mg/L | 75 mg/L |

[1] Monitor annually.

[2] The daily average limit only applies when two or more samples are collected during a calendar month.

## 5. Benchmark Monitoring Requirements

The following subsectors must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

**Table 8. Benchmark Monitoring Requirements for Subsections in Sector C**

| SIC Code | Description of Industrial Activity | Benchmark Parameter | Benchmark Value |
|---|---|---|---|
| 2812-2819 | Basic Industrial Inorganic Chemicals | Aluminum, total<br>Iron, total<br>Nitrate+Nitrite N<br>TSS | 1.2 mg/L<br>1.3 mg/L<br>0.68 mg/L<br>50 mg/L |
| 2821-2824 | Plastics, Synthetic Resins, Non-vulcanized Elastomers (Synthetic Rubber), Cellulose Plastics Materials, and Other Manmade Fibers Except Glass. | Zinc, total | 0.16 mg/L |
| 2841-2844 | Soaps and Detergents; Specialty Cleaning, Polishing, and Sanitation Preparations; Surface Active Agents, Finishing Agents, Sulfonated Oils, and Assistants; Perfumes, Cosmetics, and Other Toilet Preparations | Nitrate + Nitrite N<br>Zinc, total | 0.68 mg/L<br>0.16 mg/L |
| 2873-2879 | Agricultural Chemicals (Including Fertilizers, Pesticides, Fertilizers Solely from Leather Scraps and Leather Dust, and Mixing of Fertilizers, Compost, and Potting Soils) | Nitrate + Nitrite N<br>Lead, total<br>Iron, total<br>Zinc, total<br>Phosphorus<br>TSS | 0.68 mg/L<br>0.010 mg/L<br>1.3 mg/L<br>0.16 mg/L<br>1.25 mg/L<br>50 mg/L |

## Section D. Sector D of Industrial Activity - Asphalt Paving and Roofing Materials and Lubricant Manufacturing Facilities

### 1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector D. Sector D industrial activities are described by the following SIC codes:

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

*SIC Codes* *SIC Code Description*

2951, 2952 Asphalt Paving and Roofing Materials, Portable Asphalt Plants

2992, 2999 Miscellaneous Products of Petroleum and Coal Including Lubricating Oils and Greases

(See Part II, Section A.1.b for a detailed list of SIC codes)

### 2. Limitations on Permit Coverage

The following facilities are not eligible for coverage under this general permit:

(a) petroleum refining facilities, including those that manufacture asphalt or asphalt products, including facilities described by SIC 2911 (also see Sector C);

(b) oil recycling facilities; and

(c) fats and oils rendering facilities.

### 3. Pollution Prevention Measures and Controls

Periodic Inspections. Inspection procedures must be developed according to the standard periodic inspection requirements described in Part III, Section B.2. of this general permit and conducted at least once per month in the following areas:

(a) material storage and handling areas;

(b) areas containing liquid storage tanks, hoppers or silos;

(c) vehicle and equipment maintenance, cleaning, and fueling areas; and

(d) material handling, equipment storage, and processing areas.

Results of the inspections must be evaluated and records of inspections maintained. Follow-up procedures must be identified to ensure that appropriate actions are taken in response to the inspector's findings.

### 4. Numeric Effluent Limitations

The following numeric effluent limitations, based on guidelines from the Asphalt Emulsion Subcategory of the Paving and Roofing Materials (Tars and Asphalt) Manufacturing Point Source Category (40 CFR § 443.13), apply to all stormwater runoff from asphalt paving and roofing emulsion production areas. Samples of these discharges must be obtained before the runoff combines with stormwater runoff or other waste streams that may be covered under this permit. Samples must be analyzed as follows, and must not exceed the following numeric effluent limitations:

**Table 9. Numeric Effluent Limitations for Sector D Facilities Discharging from Asphalt Emulsion Manufacturing Production Areas**

| Industrial Activity | Parameter | Limitations Daily Avg[1,2] | Limitations Daily Max |
|---|---|---|---|
| Discharging from Asphalt Emulsion Manufacturing | TSS | 15 mg/L | 23 mg/L |
| | Oil and Grease | 10 mg/L | 15 mg/L |
| | pH | 6.0-9.0 S.U. | 6.0-9.0 S.U. |

[1] Monitor annually.
[2] The daily average limit only applies when two or more samples are collected during a calendar month.

### 5. Benchmark Monitoring Requirements

The following subsections must conduct benchmark monitoring on discharges of stormwater associated with industrial activities according to the requirements in Part IV of this general permit.

**Table 10. Benchmark Monitoring Requirements for Subsections in Sector D**

| SIC Code | Description of Industrial Activity | Benchmark Parameter | Benchmark Value |
|---|---|---|---|
| 2951, 2952 | Asphalt Paving and Roofing Materials, Portable Asphalt Plants | TSS | 50 mg/L |

## Section E. Sector E of Industrial Activity - Glass, Clay, Cement Concrete, and Gypsum Product Manufacturing Facilities

### 1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector E. Sector E industrial activities are described by the following SIC codes:

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

| *SIC Codes* | *SIC Code Description* |
|---|---|
| 3211 | Flat Glass |
| 3221, 3229 | Glass and Glassware, Pressed or Blown |
| 3231 | Glass Products Made of Purchased Glass |
| 3241 | Hydraulic Cement |
| 3251 – 3259 | Structural Clay Products |
| 3261 | Vitreous China Plumbing Fixtures and China Earthenware Fittings and Bathroom Accessories |
| 3262 – 3269 | Pottery and Related Products |
| 3271 – 3275 | Concrete, Lime, Gypsum and Plaster Products (includes Ready-Mix Concrete Plants) |
| 3281 | Cut Stone and Stone Products |
| 3291 | Abrasive Products |
| 3292 | Asbestos Products |
| 3295 | Minerals and Earths, Ground or Otherwise Treated |
| 3296 | Mineral Wool |
| 3297 | Non-Clay Refractories |
| 3299 | Nonmetallic Mineral Products, Not Elsewhere Classified |

(See Part II, Section A.1.b for a detailed list of SIC codes)

### 2. Non-Stormwater Discharges

This section does not authorize the discharge of any additional wastestreams. Facilities are required to seek authorization to discharge or land apply process wastewater resulting from washing of trucks, mixers, transport buckets, concrete forms, and other equipment under a separate TPDES or TCEQ wastewater permit.

### 3. Pollution Prevention Measures and Controls

The following requirements must be included in the SWP3 according to requirements of Part III, Section A.4. of this general permit:

(a) Specific good housekeeping measures must be developed to minimize and prevent exposure of spilled cement, aggregate (including sand and gravel), kiln dust, fly ash, and other dust to precipitation or runoff.

(b) Wherever possible, fine solids such as cement, fly ash, and kiln dust must be stored in enclosed silos, hoppers, buildings or other structures to prevent exposure to precipitation or runoff.

(c) Sweeping or an equivalent control measure must be performed at least once each week in areas where cement, aggregate, kiln dust, fly ash, or settled dust are being handled or processed.

(d) Periodic Inspections. Inspection procedures must be developed according to the standard periodic inspection requirements described in Part III, Section B.2. of this general permit, but inspections must be conducted at least once per month.

**4. Additional SWP3 Requirements**

(a) The permittee shall document in the SWP3 the locations of the following, as applicable: bag house or other dust control device; recycle/sedimentation pond, clarifier, or other device used for the treatment of process wastewater; and the areas that drain to the treatment device.

(b) Non-stormwater discharge certification. In addition to the requirements in Part III, Section B.1 related to inspection and certification of non-stormwater discharges, the SWP3 must describe the measures that will ensure that process wastewaters resulting from washing trucks, mixers, transport buckets, forms, or other equipment are either discharged or disposed in accordance with state permitting requirements or are recycled.

**5. Numeric Effluent Limitations**

(a) The following numeric effluent limitations apply to discharges resulting from the runoff of rainfall which derives from the storage of materials, including raw materials, intermediate products, finished products, and waste materials, which are used in or derived from the manufacture of cement based on guidelines from the Materials Storage Piles Runoff Subcategory (Subpart C) of the Cement Manufacturing Point Source Category (40 CFR Part 411).

These effluent limitations do not apply to Sector E facilities that are not subject to federal guidelines at 40 CFR Part 411, related to Cement Manufacturing.

Samples of stormwater discharges from cement manufacturing facilities subject to these effluent limits must be obtained before the runoff combines with other discharges that are covered under this permit. The samples must be analyzed at the frequency described below and must not exceed the following numeric effluent limitations:

**Table 11. Effluent Limitations for Sector E Storage Piles at Facilities Manufacturing Cement**

| Industrial Activity | Parameter | Limitations Daily Max[1] |
|---|---|---|
| Discharges from Material Storage Piles at Cement Manufacturing Facilities (SIC 3241) | TSS | 50 mg/L |
| | pH | 6.0-9.0 S.U. |

[1] Monitor annually.

(b) Waiver from Numeric Effluent Limitations. Any untreated overflow from facilities designed, constructed, and operated to treat the volume of runoff from materials storage piles that is associated with a 10-year, 24-hour rainfall event will not be subject

to the pH and TSS limitations in this section.Rainfall records are required to document events that equal or exceed a 10-year 24-hour event. The operator shall maintain, as a part of the SWP3, the following information in order to receive this waiver:

(1) engineering design records that demonstrate structural controls are adequate to intercept, contain, and treat the volume of runoff from a 10-year, 24-hour storm event; and

(2) records of rainfall from an on-site rain gauge, a representative weather station, or subject to TCEQ's approval, an alternative means of compliance.

### 6. Benchmark Monitoring Requirements

The following subsections must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

**Table 12. Benchmark Monitoring Requirements for Subsections in Sector E**

| SIC Code | Description of Industrial Activity | Benchmark Parameter | Benchmark Value |
|---|---|---|---|
| 3251-3259 | Structural Clay Products | Aluminum, total<br>TSS<br>pH | 1.2 mg/L<br>50 mg/L<br>6.0-9.0 S. U. |
| 3262-3269 | Pottery and Related Products | Aluminum, total<br>TSS<br>pH | 1.2 mg/L<br>100 mg/L<br>6.0-9.0 S.U. |
| 3271-3275 | Concrete, Lime, Gypsum and Plaster Products | TSS<br>Iron, total<br>pH | 50 mg/L<br>1.3 mg/L<br>6.0-9.0 S.U. |

## Section F. Sector F of Industrial Activity - Primary Metals Facilities

### 1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector F. Sector F industrial activities are described by the following SIC codes:

**SECTOR F: PRIMARY METALS**

| *SIC Codes* | *SIC Code Description* |
|---|---|
| 3312 – 3317 | Steel Works, Blast Furnaces, and Rolling and Finishing Mills |
| 3321 – 3325 | Iron and Steel Foundries |
| 3331 – 3339 | Primary Smelting and Refining of Nonferrous Metals |
| 3341 | Secondary Smelting and Refining of Nonferrous Metals |
| 3351 – 3357 | Rolling, Drawing, and Extruding of Nonferrous Metals |
| 3363 – 3369 | Nonferrous Foundries (Castings) |
| 3398, 3399 | Miscellaneous Primary Metal Products |

(See Part II, Section A.1.b for a detailed list of SIC codes)

**2. Description of Potential Pollutants and Sources**

The inventory of exposed materials must include areas where material handling and air emissions may result in deposits of particulate matter.

**3. Pollution Prevention Measures and Controls**

(a) Good Housekeeping Measures. This section of the SWP3 must include a program for cleaning and maintaining all impervious areas of the facility where dust, debris, or other particulate matter may accumulate, especially areas where material loading/unloading, storage, handling and processing occur. Areas where materials are stored, or where there is vehicular traffic, should be paved if vegetative and other stabilization methods are not practical. For areas where paving and vegetative measures are not practical, structural controls must be developed to trap and limit transport of sediment offsite. Sediment traps, filter fabric fences, and other equivalent measures may be considered.

(b) Drainage Area Site Map. The map must identify any of the following activities that may be exposed to stormwater: storage or disposal of wastes such as spent solvents and baths, sand, slag and dross; liquid storage tanks and drums; processing areas including pollution control equipment (e.g., baghouses); and storage areas of raw material such as coal, coke, scrap, sand, fluxes, refractories, or metal in any form. In addition, indicate where an accumulation of significant amounts of particulate matter could occur from such sources as furnace or oven emissions, or losses from coal and coke handling operations.

(c) Periodic Inspections. The periodic inspections must specifically include areas of the facility that contain air pollution control equipment, such as bag houses, electrostatic precipitators, cyclones, and scrubbers for signs of degradation or improper operation. Process material handling equipment must be inspected for leaks and problems that may result in material loss and spills. Material storage areas, such as piles or bins that contain coal, scrap, and slag, must be inspected for material loss due to wind and precipitation or runoff.

**4. Benchmark Monitoring Requirements**

The following subsections must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values in Table 13:

**Table 13. Benchmark Monitoring Requirements for Subsections in Sector F**

| SIC Code | Description of Industrial Activity | Benchmark Parameter | Benchmark Value |
|---|---|---|---|
| 3312-3317 | Steel Works, Blast Furnaces, and Rolling and Finishing Mills | Aluminum, total<br>Zinc, total<br>TSS | 1.2 mg/L<br>0.16 mg/L<br>100 mg/L |
| 3321-3325 | Iron and Steel Foundries | Aluminum, total<br>TSS<br>Copper, total<br>Iron, total<br>Zinc, total | 1.2 mg/L<br>50 mg/L<br>0.030 mg/L<br>1.3 mg/L<br>0.16 mg/L |
| 3351-3357 | Rolling, Drawing, and Extruding of Nonferrous Metals | Copper, total<br>Zinc, total | 0.030 mg/L<br>0.16 mg/L |
| 3363-3369 | Nonferrous Foundries (Castings) | Copper, total<br>Zinc, total | 0.030 mg/L<br>0.16 mg/L |

## Section G. Sector G of Industrial Activity - Metal Mining (Ore Mining and Dressing)

### 1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector G. Sector G industrial activities are described by the following SIC codes:

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

| *SIC Codes* | *SIC Code Description* |
|---|---|
| 1011 | Iron Ores |
| 1021 | Copper Ores |
| 1031 | Lead and Zinc Ores |
| 1041, 1044 | Gold and Silver Ores |
| 1061 | Ferro alloy Ores, Except Vanadium |
| 1081 | Metal Mining Services |
| 1094, 1099 | Miscellaneous Metal Ores |

(See Part II, Section A.1.b for a detailed list of SIC codes)

### 2. Covered Stormwater Discharges

The requirements in this section apply to stormwater from metal mining facilities, including mines abandoned on federal lands, as identified by the SIC codes specified the table above. Coverage is required for metal mining facilities that discharge stormwater contaminated by contact with, or that has come into contact with, any overburden, raw material, intermediate product, finished product, byproduct, or waste product.

(a) The stormwater discharges covered under this permit include all stormwater discharges from inactive facilities and stormwater discharges from facilities undergoing reclamation.

(b) Stormwater discharges from the following areas of active and temporarily inactive facilities areas are authorized under this general permit:

(1) waste rock and overburden piles, if composed entirely of stormwater and not combined with mine drainage;

(2) topsoil piles;

(3) haul and access roads:

a. all off site roads;

b. onsite haul and access roads constructed of waste rock, overburden, or spent ore if composed entirely of stormwater and not combining with mine drainage; and

c. onsite haul and access roads not constructed of waste rock, overburden, or spent ore, unless mine drainage is used for dust control.

(4) runoff from tailings dams or dikes that are:

a. not constructed of waste rock or tailings, provided no process fluids are present; or

b. constructed of waste rock or tailings and no process fluids are present, if composed entirely of stormwater and not combining with mine drainage.

(5) concentration building if no contact with material piles;

(6) mill site if no contact with material piles;

(7) office or administrative building and housing if mixed with stormwater from industrial area;

(8) chemical storage;

(9) docking facility if no excessive contact with waste product that would otherwise constitute mine drainage;

(10) explosives storage;

(11) fuel storage;

(12) vehicle and equipment maintenance;

(13) parking areas, if necessary;

(14) power plant, except that steam electric power plants are regulated as collocated activities in Part V, Section O;

(15) truck wash areas (if no excessive contact with waste product that would otherwise constitute mine drainage);

(16) un-reclaimed, disturbed areas outside of the active mining area(s);

(17) reclaimed areas released from reclamation requirements prior to December 17, 1990; and

(18) partially or inadequately reclaimed areas or areas not meeting reclamation requirements.

## 3. Definitions

The following definitions apply only to Section G of this general permit:

**Active metal mining facility.** A place where work or other activity related to the extraction, removal, or recovery of metal ore is being conducted. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of "active mining area" found at 40 CFR §440.132(a).

**Active phase**. Activities including the extraction, removal or recovery of metal ore. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of "active mining area" found at 40 CFR §440.132(a). The active phase is considered part of "mining operations."

**Exploration phase.** Entails exploration and land disturbance activities to determine the viability of a site. The exploration phase is not considered part of "mining operations."

**Final Stabilization.** All soil disturbing activities at the site have been completed and a uniform (e.g. evenly distributed, without large bare areas) perennial vegetative cover with a density of 70% of the native background vegetative cover for the area has been established on all unpaved areas and areas not covered by permanent structures, or equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed. Alternatively, for arid, semi-arid, and drought stricken areas only, final stabilization means that all soil disturbing activities at the site have been completed and both of the following criteria have been met: temporary erosion control measures are selected, designed, and installed along with an appropriate seed base to provide erosion control for at least three years without active maintenance by the operator; and the temporary erosion control measures are selected, designed, and installed to achieve 70% vegetative coverage within three years.

**Inactive metal mining facility.** A site or portion of a site with an identifiable operator, where metal mining or milling occurred in the past but is not an active facility as defined above, where the inactive portion is not covered by an active mining permit, and where the reclamation phase has not been completed.

**Mining operations.** Consists of the active mining, inactive mining, temporarily inactive mining, and reclamation phases, but excludes the exploration and construction phases.

**Reclamation phase.** Activities undertaken to return the land to an appropriate post-mining land use prior to termination of permit coverage.

**Temporarily inactive metal mining facility.** A site or portion of a site where metal mining or milling occurred in the past and is not currently being actively undertaken, and where the facility is covered by an active mining permit.

## 4. Limitations on Permit Coverage

(a) Prohibition on Certain Stormwater Discharges. Discharges from active metal mining facilities that are subject to effluent limitation guidelines for the Ore Mining and Dressing Point Source Category (40 CFR Part 440) are not authorized under this general permit.

Stormwater from active metal mining facilities is only subject to 40 CFR Part 440 (and therefore not eligible for coverage under this permit) if it commingles with other discharges that are subject to 40 CFR Part 440. Discharges from overburden/waste

rock and overburden/waste rock-related areas are not subject to 40 CFR Part 440 unless they:

(1) drain naturally (or are intentionally diverted) to a point source; and

(2) combine with "mine drainage" that is otherwise regulated under the 40 CFR Part 440.

Such sources may obtain coverage under this general permit if the discharge is composed entirely of stormwater, does not commingle with other sources of mine drainage that are not subject to 40 CFR Part 440, and meets the other eligibility criteria contained in the general permit.

(b) Prohibition on Non-Stormwater Discharges. The following discharges are not authorized by this general permit: process generated wastewater, including but not limited to truck wash water, adit drainage (e.g., drainage from mine passageways or tunnels), contaminated springs, and seeps discharging from waste rock dumps that do not directly result from precipitation events from active, temporarily inactive, and inactive mines.

(c) Authorization Not Required. Stormwater from sites where mining claims are being maintained prior to disturbances associated with the extraction, beneficiation, or processing of mined materials and sites where minimal activities are undertaken for the sole purpose of maintaining a mining claim are not considered either active or inactive mining facilities and do not require authorization.

## 5. Additional SWP3 Requirements

In addition to the requirements of Part III, Section A of this general permit, the following is required:

(a) Inventory of Exposed Materials. This section of the SWP3 must contain a summary of any existing ore, waste rock, and overburden characterization data. The summary must include results of all testing for acid rock generation potential. The inventory and the SWP3 must be updated if the characterization is updated due to a change in the type of ore mined. For inactive metal mining facilities, the inventory must identify any significant materials that remain at the facility and include any available characterization data of the material.

(b) Narrative Description. For inactive metal mining facilities, this section of the SWP3 must include a description of the mining and associated activities that took place at the site. The description must define the dates of operation, total acreage within the mine, total acreage within the processing area, an estimate of the acres of remaining disturbed area, and any current activities at the site (e.g. reclamation).

(c) Site Map. A topographic site map (or maps) must be developed to indicate mining or milling site boundaries; access and haul roads; equipment storage, fueling, and maintenance areas; an outline of the overburden, materials, soils, tailings or wastes storage areas; points of discharge from the property of mine drainage or any other process wastewater, a depiction of the discharge route, and a listing of the type of wastewater; location of existing and proposed tailings piles and ponds; heap leach pads; locations of springs, streams, wetlands, and other surface waters; and boundaries of tributary areas that are subject to effluent limitations and guidelines for the Ore Mining and Dressing Point Source Category (40 CFR Part 440).

(d) Management of Runoff with Structural Controls. The elimination of a contaminant source through capping of the source may be the most effective control measure.

Where capping is used, the source being capped must be identified and the materials and procedures used to cap the source must be described within the SWP3.

(e) Inactive and Unstaffed Sites. Subject to the following conditions, if the facility is inactive and unstaffed, the permittee is not required to conduct quarterly visual assessments and routine facility inspections. Waivers are not given for exception from conducting the comprehensive site inspection. Permittees are encouraged to inspect their site more frequently where there is reason to believe that severe weather or natural disasters may have damaged control measures or increased discharges.

(1) If circumstances change and the facility becomes active or staffed, this exception no longer applies, and the permittee must immediately begin complying with the quarterly visual assessment requirements; and

(2) The TCEQ retains the authority to revoke this exemption or the monitoring waiver where it is determined that the discharge causes, has a reasonable potential to cause, or contributes to an instream excursion above an applicable water quality standard, including designated uses.

## 6. Benchmark Monitoring Requirements

(a) Active copper ore mining or dressing facilities must conduct benchmark monitoring according to the standard benchmark monitoring requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

**Table 14. Benchmark Monitoring Requirements for Sector G**

| SIC Code | Description of Industrial Activity | Benchmark Parameter | Benchmark Value |
|---|---|---|---|
| 1021 | Copper Ores | COD<br>TSS<br>Nitrate + Nitrite N | 60 mg/L<br>100 mg/L<br>0.68 mg/L |

(b) All stormwater discharges from waste rock and overburden piles, resulting from active ore mining or dressing operations included in Sector G, must collect one benchmark monitoring sample according to the requirements in Part IV of this general permit for the following pollutants in Table 15. For parameters measured above the benchmark value, monitoring must be continued throughout the term of the permit.

**Table 15. Benchmark Monitoring Requirements for Sector G**

| SIC Codes and Description of Industrial Activity | Parameter | Benchmark Monitoring Cutoff Concentration |
|---|---|---|
| 1011- Iron Ores;<br>1021- Copper Ores;<br>1031- Lead and Zinc Ores;<br>1041, 1044 - Gold and Silver Ores;<br>1061- Ferroalloy Ores, Except Vanadium;<br>1081- Metal Mining Services<br>1094, 1099 - Miscellaneous Metal Ores | TSS<br>Turbidity<br>pH<br>Total Antimony<br>Total Arsenic<br>Total Beryllium<br>Total Cadmium<br>Total Copper<br>Total Iron<br>Total Lead<br>Total Manganese<br>Total Mercury<br>Total Nickel<br>Total Selenium<br>Total Silver<br>Total Zinc | 100 mg/L<br>5 NTUs above background<br>6.0-9.0 S.U.<br>0.636 mg/L<br>0.17 mg/ L<br>0.13 mg/L<br>0.0010 mg/ L<br>0.030 mg/ L<br>1.3 mg/L<br>0.010 mg/ L<br>1.0 mg/L<br>0.0019 mg/L<br>1.417 mg/L<br>0.05 mg/L<br>0.0318 mg/L<br>0.16 mg/L |

(c) In addition to other required monitoring for discharges from waste rock and overburden piles, the permittee shall also conduct monitoring for additional pollutants as follows based on the type of ore mined at the site. Where a pollutant in the table below is the same as a pollutant required to be monitored in the table above (i.e., for all of the metals) the permittee shall use the corresponding benchmark value from the table above; otherwise, no benchmark levels apply.

The monitoring results conducted for the benchmark monitoring requirements for discharges from Waste Rock and Overburden Piles at active Metal Mining Facilities (section above) may be used to satisfy the monitoring requirement for the pollutant for this section. There are no applicable benchmarks for Radium and uranium in the table above. The frequency and schedule for monitoring the additional parameters, in the table below, is the same as that specified in Part IV of this permit.

**Additional Monitoring Requirements for Discharges from Waste Rock and Overburden Piles.**

**Table 16. Requirements for Waste Rocks and Overburden Piles**

| Type of Ore Mined | Parameter |
|---|---|
| Tungsten Ore | pH, TSS, Total Arsenic, Total Cadmium, Total Copper, Total Lead, Total Zinc |
| Nickel Ore | pH, TSS, Total Arsenic, Total Cadmium, Total Copper, Total Lead, Total Zinc |
| Aluminum Ore | pH, TSS, Total Iron |
| Mercury Ore | pH, TSS, Total Nickel |
| Iron Ore | pH, TSS, Dissolved Iron |

| Type of Ore Mined | Parameter |
|---|---|
| Platinum Ore | Total Cadmium, Total Copper, Total Mercury, Total Lead, Total Zinc |
| Titanium Ore | pH, TSS, Total Iron, Total Nickel, Total Zinc |
| Vanadium Ore | pH, TSS, Total Arsenic, Total Cadmium, Total Copper, Total Lead, Total Zinc |
| Molybdenum | pH, TSS, Total Arsenic, Total Cadmium, Total Copper, Total Lead, Total Mercury, Total Zinc |
| Uranium, Radium, and Vanadium Ore | pH, TSS, Chemical Oxygen Demand, Total Arsenic, Total Radium, Dissolved Radium, Total Uranium, Total Zinc |

## 7. Termination of Permit Coverage

(a) Termination of Permit Coverage for Sites Reclaimed After December 17, 1990.

A site or a portion of a site that has been released from applicable state or federal reclamation requirements after December 17, 1990, is no longer required to maintain coverage under this permit. If the site or portion of a site reclaimed after December 17, 1990, was not subject to reclamation requirements, the site or portion of the site is no longer required to maintain coverage under this permit if the site or portion of the site has been reclaimed as defined above in section 3.

(b) Termination of Permit Coverage for Sites Reclaimed Before December 17, 1990.

A site or portion of a site that was released from applicable state or federal reclamation requirements before December 17, 1990, or that was otherwise reclaimed before December 17, 1990, is no longer required to maintain coverage under this permit if the site or portion of the site has been reclaimed. A site or portion of a site is considered to have been reclaimed if:

(1) stormwater runoff that comes into contact with raw materials, intermediate byproducts, finished products, and waste products does not have the potential to cause or contribute to violations of state water quality standards;

(2) soil disturbing activities related to mining at the sites or portion of the site have been completed;

(3) the site or portion of the site has been stabilized to minimize soil erosion; and

(4) as appropriate depending on location, size, and the potential to contribute pollutants to stormwater discharges, the site or portion of the site has been re-vegetated, will be amenable to natural re-vegetation, or will be left in a condition consistent with the post-mining land use.

## Section H. Sector H of Industrial Activity - Coal Mines and Coal Mining Related Facilities

### 1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector H. Sector H industrial activities are described by the following SIC codes:

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

| *SIC Codes* | *SIC Code Description* |
|---|---|
| 1221 | Bituminous Coal and Lignite Surface Mining |
| 1222 | Bituminous Coal Underground Mining |
| 1231 | Anthracite Mining |
| 1241 | Coal Mining Services |

(See Part II, Section A.1.b for a detailed list of SIC codes)

### 2. Covered Stormwater Discharges

The requirements of Section H apply to stormwater discharges from the following areas of facilities identified by the SIC Codes specified in the table above, except that discharges regulated under 40 CFR Part 434 are not covered under this permit:

(a) haul roads;

(b) access roads;

(c) railroad spurs, sidings, and internal lines used to transport coal;

(d) areas around conveyor belts, chutes, and trams that convey coal;

(e) equipment storage and maintenance areas;

(f) coal handling areas, including buildings and structures;

(g) waste disposal areas;

(h) inactive coal mines where the performance bond has been released; and

(i) related areas where coal mining/processing activities take place.

### 3. Definitions

The following definitions apply only to Section H of this general permit:

**Active coal mining facility.** A place where work or other activity related to the extraction, removal, or recovery of coal is being conducted. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of "active mining area" found at 40 CFR §434.11(b).

**Active phase.** Activities including the extraction, removal or recovery of coal. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of "active mining area" found at 40 CFR §434.11(b). The active phase is considered part of "mining operations."

**Bond Release.** The time at which the appropriate regulatory authority returns a reclamation or performance bond based upon its determination that reclamation work (including, in the case of underground mines, mine sealing and abandonment procedures) has been satisfactorily completed. Phase Two completion is that point in the reclamation process where the property has been re-contoured and replanted but prior to final bond release.

**Exploration phase.** Entails exploration and land disturbance activities to determine the viability of a site. The exploration phase is not considered part of "mining operations."

**Final Stabilization.** All soil disturbing activities at the site have been completed and a uniform (e.g. evenly distributed, without large bare areas) perennial vegetative cover with a density of 70 percent (%) of the native background vegetative cover for the area has been established on all unpaved areas and areas not covered by permanent structures, or equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed. Alternatively, for arid, semi-arid, and drought stricken areas only, final stabilization means that all soil disturbing activities at the site have been completed and both of the following criteria have been met: Temporary erosion control measures are selected, designed, and installed along with an appropriate seed base to provide erosion control for at least three years without active maintenance by the operator; and the temporary erosion control measures are selected, designed, and installed to achieve 70 % vegetative coverage within three years.

**Inactive coal mining facility.** A site or portion of a site, with an identifiable operator, where coal mining or milling occurred in the past but is not an active facility as defined above, where the inactive portion is not covered by an active mining permit and where the reclamation has not been completed.

**Mining operation.** Consists of the active and temporarily inactive phases, and the reclamation phase, but excludes the exploration and construction phases.

**Reclamation phase.** Activities undertaken to return the land to an appropriate post-mining land use prior to termination of permit coverage.

**Temporarily inactive coal mining facility.** A site or portion of a site where coal mining or milling occurred in the past but is not an active facility as defined above, where the inactive portion is not covered by an active mining permit, and where the reclamation phase has not been completed.

## 4. Limitations on Permit Coverage

The following discharges are not eligible for coverage under this general permit:

(a) discharges from coal mining activities subject to effluent limitation guidelines for the Coal Mining Point Source Category (40 CFR Part 434);

(b) seeps and underground drainage from inactive coal mines and refuse disposal areas that may constitute dry-weather flows and do not occur as a direct result of precipitation or runoff; and

(c) discharges from floor drains in maintenance buildings and similar drains in mining and preparation plant areas.

Reclaimed areas of a mine, where the performance bond has been released, are no longer considered industrial activity. Stormwater discharges from those areas are not required to be authorized under the TPDES program.

## 5. Additional SWP3 Requirements

The following requirements apply to all Sector H facilities:

(a) Site Map. Document where any of the following that are covered under this general permit and that may be exposed to stormwater: haul and access roads; railroad spurs, sliding, and internal hauling lines; conveyor belts, chutes, and aerial tramways; equipment storage and maintenance yards; coal handling buildings and structures; inactive mines and related areas; acidic spoil, refuse, or un-reclaimed disturbed areas; and liquid storage tanks containing pollutants such as caustics, hydraulic fluids, and lubricants.

(b) Potential Pollutant Sources.

(1) The SWP3 must document the following sources and activities that have potential pollutants associated with them:

a. truck traffic on haul roads and resulting generation of sediment subject to runoff and dust generation;

b. fuel or other liquid storage; pressure lines containing slurry, hydraulic fluid, or other potential harmful liquids; and loading or temporary storage of acidic refuse or spoil.

(2) In the summary of potential pollutant sources, the SWP3 must document areas at the facility where industrial materials or activities are exposed to stormwater and from which allowable non-stormwater discharges are released.

For each area identified, the description must include:

a. a list of the industrial activities exposed to stormwater;

b. a list of the pollutant(s) or pollutant constituents (e.g., crankcase oil, zinc, sulfuric acid, and cleaning solvents) associated with each identified activity, that includes all significant materials that have been handled, treated, stored, or disposed, and that have been exposed to stormwater in the 3 years prior to the date that the SWP3 was prepared or amended;

c. a list of the areas at the site where potential spills and leaks could occur that could contribute pollutants to stormwater, and the corresponding outfall(s) that would be affected by such spills and leaks. All significant spills and leaks of oil or toxic or hazardous pollutants that actually occurred at exposed areas, or that drained to a stormwater conveyance, in the 3 years prior to the date that the SWP3 was prepared or amended, must be documented; and

d. The location of any storage piles containing salt used for deicing or other commercial or industrial purposes.

(c) Erosion Control Measures. Erosion, siltation, dust, and other pollutant control regulations administered by the Railroad Commission of Texas or TCEQ must either be included as components of this section of the SWP3, or incorporated by reference. The permittee shall minimize disturbed areas and preserve vegetated areas to the maximum extent practicable. The SWP3 must include the following at a minimum:

(1) Stabilization Measures. Temporary and permanent stabilization measures must be employed to minimize erosion. These may include: maintaining existing native vegetative cover; seeding for temporary or permanent cover; temporary mulching,

matting, or netting; sodding; soil binding; using non-acid material for road surfacing; planting trees; and preserving existing trees.

(2) Structural Measures. Such as silt fences; earthen dikes; straw bales; graded terraces; pipe slope drains; porous rock check drains; sedimentation ponds; vegetated drainage swales; capping of contaminant sources; and physical or chemical treatment of stormwater.

(d) Preventive Maintenance. Perform inspections or other equivalent measures of storage tanks and pressure lines of fuels, lubricants, hydraulic fluid, and slurry to prevent leaks due to deterioration or faulty connections. Operators must regularly inspect, test, maintain, and repair all industrial equipment and systems to avoid situations that may result in leaks, spills, and other releases of pollutants in stormwater discharged to receiving waters.

(e) Additional Inspection Requirements

(1) Inspections of Active Mining-Related Areas. Except for areas of the site subject to clearing, grading, or excavation activities conducted as part of the exploration and construction phase, the permittee shall perform quarterly inspections of active mining areas covered by this permit.

(2) Comprehensive site inspections must be conducted by qualified personnel with at least one member of the stormwater pollution prevention team participating in the comprehensive site inspections. Comprehensive site inspections must cover all areas of the facility affected by the requirements in this permit, including the areas identified in the SWP3 as potential pollutant sources where industrial materials or activities are exposed to stormwater and areas where spills and leaks have occurred in the past 3 years. The inspections must also include a review of monitoring data collected in accordance with this permit.

## 6. Benchmark Monitoring Requirements

The following subsections must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

**Table 17. Benchmark Monitoring Requirements for Subsections in Sector H**

| SIC Code | Description of Industrial Activity | Benchmark Parameter | Benchmark Value |
|---|---|---|---|
| 1221-1241 | Coal Mines and Coal Mining-Related Facilities | TSS<br>Aluminum, total<br>Iron, total | 50 mg/L<br>1.2 mg/L<br>1.3 mg/L |

## 7. Inactive and Unstaffed Sites

If the permittee operates an inactive and unstaffed Sector H facility (including temporarily inactive and unstaffed sites), the permittee may waive the routine inspection, quarterly visual assessment and benchmark monitoring requirements. The permittee is conditionally exempt from the requirement to certify that there are no industrial materials or activities exposed to stormwater, provided that all of the following conditions are met:

(a) if circumstances change and the facility becomes active or staffed, this exemption no longer applies and the operator must immediately begin complying with the applicable

benchmark monitoring requirements as if they were in their first year of permit coverage, as well as the quarterly visual assessment requirements; and

(b) the discharge does not cause, have a reasonable potential to cause, or contribute to a violation of applicable water quality standards.

Subject to the two conditions above, if a Sector H facility is inactive and unstaffed, the operator is waived from the requirement to conduct quarterly visual assessments and routine facility inspections. Inactive industrial facilities must continue to conduct comprehensive site compliance inspections on at least an annual basis as described in Part III, Section B.5 of this permit. Inactive Sector H facilities may not obtain a waiver from comprehensive site compliance inspections. The operator is still responsible for notifying TCEQ about the status of the facility according to Part II.C.5 and 6.

## 8. Termination of Permit Coverage

(a) Termination of Permit Coverage for Sites Reclaimed After December 17, 1990. A site or a portion of a site that has been released from applicable state or federal reclamation requirements after December 17, 1990, is no longer required to maintain coverage under this permit. If the site or portion of a site reclaimed after December 17, 1990, was not subject to reclamation requirements, the site or portion of the site is no longer required to maintain coverage under this permit if the site or portion of the site has been reclaimed as defined in the following:

(b) Termination of Permit Coverage for Sites Reclaimed Before December 17, 1990. A site or portion of a site that was released from applicable state or federal reclamation requirements before December 17, 1990, or that was otherwise reclaimed before December 17, 1990, is no longer required to maintain coverage under this permit if the site or portion of the site has been reclaimed. A site or portion of a site is considered to have been reclaimed if:

(1) stormwater runoff that comes into contact with raw materials, intermediate byproducts, finished products, and waste products does not have the potential to cause or contribute to violations of state water quality standards;

(2) soil disturbing activities related to mining at the sites or portion of the site have been completed;

(3) the site or portion of the site has been stabilized to minimize soil erosion; and

(4) as appropriate depending on location, size, and the potential to contribute pollutants to stormwater discharges, the site or portion of the site has been re-vegetated, will be amenable to natural re-vegetation, or will be left in a condition consistent with the post-mining land use.

## Section I. Sector I of Industrial Activity - Oil and Gas Extraction Facilities

### 1. Description of Industrial Activity

Sector I facilities include facilities with activities directly related to oil and gas exploration, production, processing, or treatment operations; oil and gas transmission facilities prior to refining; and to oil and gas field service operations.

**SECTOR I: OIL AND GAS EXTRACTION FACILITIES**

| *SIC Codes* | *SIC Code Description* |
|---|---|
| *Industrial Activities Regulated under the EPA's NPDES Program:* | |
| 1311 | Crude Petroleum and Natural Gas |
| 1321 | Natural Gas Liquids |
| 1381, 1382 | Drilling Oil and Gas Wells; and Oil and Gas Field Exploration Services |
| 1389 | Oil and Gas Field Services, Not Elsewhere Classified, that occur in the field (excluding oil field service company operations noted below.) |
| *Industrial Activities Regulated under this General Permit:* | |
| 1389 | Oil and Gas Field Services, Not Elsewhere Classified, at a company headquarters, local offices, or at oil field service company "home base" that conduct only administrative and support activities for oil and gas field services that occur in the field. |

(See Part II, Section A.1.b for a detailed list of SIC codes)

### 2. Covered Stormwater Discharges

(a) Agency Jurisdiction. The requirements in Subpart I apply to stormwater discharges associated with industrial activity from oil and gas extraction facilities that are under the jurisdiction of the TCEQ, as identified by the SIC Codes specified in the table above. Specifically, this general permit only provides coverage for facilities described by SIC Code 1389 that occur at the service company headquarters, permanent offices, or similar bases of operations where this industrial activity may occur. This may include non-contiguous facilities, but excludes all activities that occur at a well site or that are regulated by the U.S. EPA or the Texas Railroad Commission (RRC).

All of the other facilities with SIC codes listed above are not under the jurisdiction of the TCEQ and must obtain stormwater permit coverage from the U.S. EPA or the Texas RRC as applicable.

(b) Contaminated Stormwater. Facilities that are regulated under this general permit are only required to obtain permit coverage for contaminated stormwater. For the purposes of this section, contaminated stormwater is defined as stormwater runoff from a facility described by SIC Code 1389 that functions as a company headquarters, permanent office, or similar base of operations, and that has had one or more releases of a reportable quantity in stormwater for which notification has been required any time since November 16, 1987. For reportable quantity rules, see 30 TAC 327.

### 3. Limitations on Permit Coverage

(a) Non-contaminated Stormwater. Facilities regulated under this general permit are not required to obtain authorization if the facility has not had a release of a reportable

quantity in stormwater for which notification has been required any time since November 16, 1987.

(b) Stormwater Regulated by U.S. EPA.

(1) Coverage under this general permit is limited to oil and gas field service companies described by SIC code 1389 that occur at the company headquarters, permanent office, or similar base of operations. The requirements of this general permit are specific to those operations. Any facility described by an SIC code listed in the table above that is not covered by the TCEQ must obtain coverage as required from the U.S. EPA and the Texas RRC.

(2) General permit coverage for other stormwater discharges associated with industrial activity described by Sector I are not eligible for coverage under this general permit, and coverage must be obtained, as required, from the U.S. EPA and/or the Texas RRC.

(c) Wash Water. Discharges of vehicle and equipment wash water, including tank cleaning operations, are not authorized by this permit and such wash water discharges must be authorized under a separate TPDES permit, discharged to a sanitary sewer in accordance with applicable requirements, or disposed by an alternate authorized means.

## 4. Additional SWP3 Requirements

(a) Drainage Area Site Map. The SWP3 must include the following information, in addition to what is required in Part III of this permit: location(s) of any reportable quantity (RQ) releases; locations used for the treatment, storage, or disposal of wastes; processing areas and storage areas; and chemical mixing areas.

(b) Potential Pollutant Sources. The SWP3 must document the following sources and activities, in addition to those already required in Part III of this general permit:

(1) chemical, cement, mud, or gel mixing activities,

(2) equipment cleaning and rehabilitation activities,

(3) information about the RQ release(s) that triggered the permit application requirements:

a. nature of the release (e.g., spill of oil from a drum storage area),

b. amount of oil or hazardous substance released,

c. amount of substance recovered,

d. date of the release,

e. cause of the release,

f. area(s) affected by the release,

g. procedure to clean up release,

h. actions or procedures implemented to prevent or improve response to a release, and

i. remaining potential contamination of stormwater from release.

(4) A “Summary of Potential Pollutant Sources.” The permittee shall document areas at their facility where industrial materials or activities are exposed to stormwater and from which allowable non-stormwater discharges are released.

## Section J. Sector J of Industrial Activity - Mineral Mining and Processing Facilities

### 1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector J. Sector J industrial activities are described by the following SIC codes:

**SECTOR J: MINERAL MINING AND PROCESSING FACILITIES**

| *SIC Codes* | *SIC Code Description* |
|---|---|
| 1411 | Dimension Stone |
| 1422 – 1429 | Crushed and Broken Stone, Including Rip Rap |
| 1442, 1446 | Sand and Gravel Mining |
| 1455, 1459 | Clay, Ceramic, and Refractory Materials |
| 1474 – 1479 | Chemical and Fertilizer Mineral Mining |
| 1481 | Nonmetallic Minerals, Except Fuels |
| 1499 | Miscellaneous Nonmetallic Minerals, Except Fuels |

(See Part II, Section A.1.b for a detailed list of SIC codes)

### 2. Covered Discharges

The requirements in Section J apply to stormwater discharges associated with industrial activity from Active and Inactive Non-Metallic Mineral Mining and Dressing facilities as identified by the SIC Codes specified under Sector J above. These include stormwater discharges and mine dewatering discharges that consist solely of stormwater and non-contaminated groundwater seepage from inactive, active, and temporarily inactive facilities; and from sites undergoing reclamation.

### 3. Definitions

The following definitions apply only to Section J of this general permit:

**Active Mineral Mining Facility.** A place where work or other activity related to the extraction, removal, or recovery of minerals is being conducted. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of "active mining area" found at 40 CFR §440.132(a), related to Ore Mining and Dressing Point Source Category.

**Active phase.** Activities including the extraction, removal, or recovery of minerals. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of "active mining area" found at 40 CFR §440.132(a), related to Ore Mining and Dressing Point Source Category. The active phase is considered part of mining operations.

**Aggregates.** Any commonly recognized construction material originating from a quarry or pit by the disturbance of the surface, including dirt, soil, rock asphalt, granite, gravel, gypsum, marble, sand, stone, caliche, limestone, dolomite, rock, riprap, or other non-

mineral substance. The term does not include clay or shale mined for use in manufacturing structural clay products.

**Exploration phase.** Entails exploration and land disturbance activities to determine the financial viability of a site. The exploration phase is not considered part of mining operations.

**Inactive Mineral Mining Facility.** A site or portion of a site, with an identifiable operator, where mineral mining or milling occurred in the past but is not an active facility as defined above, where the inactive portion is not covered by an active mining permit, and where the reclamation phase has not been completed.

**Mine Dewatering.** (From 40 CFR §436.21) any water that is impounded or that collects in the mine and is pumped, drained or otherwise removed from the mine through the efforts of the mine operator. However, if a mine is also used for treatment of process generated wastewater, discharges of commingled water from the facilities must be deemed discharges of process generated wastewater.

**Mining operations.** Includes the active mining, inactive mining, the temporarily inactive mining, and the reclamation phases, but excludes the exploration and construction phases.

**Quarry.** The site from which aggregates for commercial sale are being or have been removed or extracted from the earth to form a pit, including the entire excavation, stripped areas, haulage ramps, and the immediately adjacent land on which the plant processing the raw materials is located. The term does not include any land owned or leased by the operator not being currently used in the production of aggregates for commercial sale or an excavation to mine clay or shale for use in manufacturing structural clay products.

**Temporarily Inactive Mineral Mining Facility.** A site or portion of a site where mineral mining or milling occurred in the past and is not currently being actively undertaken, and where the facility is covered by an active mining permit.

**Non-contaminated.** Free from the presence of pollutants attributable to industrial activity.

### 4. Annual Comprehensive Site Compliance Evaluation

The SWP3 must be revised to reflect the findings of the annual comprehensive site compliance evaluation within a maximum of 12 weeks following completion of the evaluation for inactive mining facilities.

### 5. Limitations on Permit Coverage

(a) This general permit does not authorize the discharge of stormwater runoff described in the Texas Water Code, §26.553 (related to certain quarries located in the John Graves Scenic Riverway, in the Brazos River Basin), where TCEQ rules require coverage under an individual permit or alternative general permit. These facilities must obtain coverage under an alternative TPDES permit as described in applicable TCEQ rules.

(b) This permit does not authorize discharges from facilities described under the federal effluent limitations guidelines in 40 CFR Part 436 (Mineral Mining and Processing Point Source Category), except that stormwater and non-contaminated groundwater seepage from sand, gravel, and crushed stone mining operations described in this rule may be discharged, as described in section J.2. above and section J.6. below.

(c) Sites where mining claims are being maintained prior to disturbances associated with the extraction, beneficiation, or processing of mined materials, and sites where

minimal activities are undertaken for the sole purpose of maintaining a mining claim are not considered either active or inactive mining facilities and do not require a permit for stormwater discharges associated with industrial activity.

## 6. Numeric Effluent Limitations

Applicable to Sector J facilities discharging stormwater and mine dewatering consisting solely of stormwater and non-contaminated groundwater seepage from the following sand, gravel, and crushed stone mining operations that are subject to federal effluent limits. The following SIC codes are subject to numeric effluent limits for mine dewatering: 1422–1429 (Crushed Stone), 1442 (Construction Sand and Gravel), and 1446 (Industrial Sand).

(a) Construction Sand and Gravel (SIC 1442), Industrial Sand (SIC 1446), and Crushed Stone (SIC 1422–1429). The following numeric effluent limitations, based on guidelines for mine dewatering from the Mineral Mining and Processing Point Source Category (40 CFR Part 436), apply to mine dewatering operations (discharges from the mine pit of accumulated stormwater and non-contaminated groundwater seepage) at construction sand and gravel, industrial sand, or crushed stone mining facilities. Samples of these discharges must be obtained before the runoff combines with other stormwater runoff, analyzed, and must not exceed the following numeric effluent limitations:

(1) For mine dewatering discharges from facilities regulated under 40 CFR Part 436, Subpart B (Crushed Stone Subcategory) and Subpart C (Construction Sand and Gravel Subcategory), the following effluent limits apply:

**Table 18. Numeric Effluent Limitations for Mine Dewatering at Sector J Crushed Stone Mining Facilities and Construction Sand and Gravel Mining Facilities**

| Industrial Activity | Parameter [1] | Limitations[1] Daily Avg. | Limitations Daily Max. |
|---|---|---|---|
| Mine Dewatering Discharges at Crushed Stone Mining Facilities (SIC 1422-1429) | pH | 6.0-9.0 S.U. | 6.0-9.0 S.U. |
| Mine Dewatering Discharges at Construction Sand and Gravel Mining Facilities (SIC 1442) | pH | 6.0-9.0 S.U. | 6.0-9.0 S.U. |

[1] Monitor annually.

(2) For mine dewatering discharges from facilities regulated by 40 CFR Part 436, Subpart D (Industrial Sand Subcategory), the following effluent limits apply:

**Table 19. Numeric Effluent Limitations for Mine Dewatering at Sector J Industrial Sand Mining Facilities**

| Industrial Activity | Parameter [1] | Limitations Daily Avg. | Limitations Daily Max. |
|---|---|---|---|
| Mine Dewatering Discharges at Industrial Sand Mining Facilities (SIC 1446) | TSS<br>pH | 25 mg/L<br>6.0-9.0 S.U. | 45 mg/L<br>6.0-9.0 S.U. |

[1] Monitor annually.

These limitations do not apply to Sector J facilities that are not subject to federal guidelines at 40 CFR Part 436.

(b) Waivers from Numeric Effluent Limitations. Numeric effluent limitations for mine dewatering do not apply to discharges that overflow from structural control facilities that are designed, constructed, and maintained to contain or treat the volume of mine dewatering wastewater that would result from a 10-year, 24-hour storm event. The permittee shall maintain, as a part of the SWP3, the following information in order to receive this waiver: engineering design records that demonstrate structural controls are adequate to intercept, contain, and treat the volume of runoff from a 10-year, 24-hour storm event; and records of rainfall from an on-site rain gauge, a representative weather station, or subject to TCEQ's approval, an alternative means of compliance. Rainfall records are only required to document events that equal or exceed a 10-year, 24-hour event.

## 7. Benchmark Monitoring Requirements

The following subsectors must conduct benchmark monitoring on discharges of stormwater associated with industrial activities according to the requirements in Part IV of this general permit.

**Table 20. Benchmark Monitoring Requirements for Subsections in Sector J**

| SIC Code | Description of Industrial Activity | Benchmark Parameter | Benchmark Value |
|---|---|---|---|
| 1411<br>1422-1429<br>1481 | Dimension Stone Crushed and Broken Stone, Incl. Rip Rap<br>Nonmetallic Minerals, Except Fuels | TSS<br>pH | 50 mg/L<br>6.0-9.0 S.U. |
| 1442,1446 | Sand and Gravel Mining | Nitrate + Nitrite N<br>TSS | 0.68 mg/L<br>50 mg/L |

## 8. Mining-Related Non-Stormwater Discharges

Certification of Discharge Testing. The permittee shall test or evaluate all outfalls covered under this permit for the presence of specific mining-related non-stormwater discharges such as discharges subject to effluent limitations guidelines (e.g., 40 CFR Part 436). The SWP3 must include information on the discharge from each outfall.

## 9. Additional SWP3 Requirements

(a) Employee Training. The permittee shall conduct employee training at least once per year at active and temporarily inactive sites.

Training must be conducted for all employees who work in areas where industrial materials or activities are exposed to stormwater, or who are responsible for implementing activities necessary to meet the conditions of this permit (e.g., inspectors, maintenance personnel), including all members of the Pollution Prevention Team. Training must cover the specific control measures used to achieve the requirements in this section, plus the monitoring, inspection, planning, reporting, and documentation requirements in other parts of this permit.

(b) The following requirements are required to be in the SWP3 for active mineral mining facilities, temporarily inactive mineral mining facilities, and sites being returned or transitioned into an appropriate post mining use, and are in addition to the

requirements listed in Part III of this general permit. These requirements are not applicable to inactive mineral mining facilities. (also see Part V, Section J.10. below)

(1) A description of the nature of the industrial activities at the facility;

(2) A map showing the general location of the facility and all surface waters for receiving discharges authorized under this general permit; and

(3) A site map showing:

a. the size of the property in acres;

b. the location and extent of significant structures and impervious surfaces;

c. locations of all existing structural control measures;

d. locations of all of the immediate receiving, with an indication whether any of the waters are impaired and, if so, whether the waters have TMDLs established for them;

e. locations of all stormwater conveyances including ditches, pipes, and swales;

f. locations of all stormwater monitoring points;

g. locations of stormwater inlets and outfalls, with a unique identification code for each outfall (e.g., Outfall No. 001, 002, etc), indicating if one or more outfalls is being treated as "substantially similar" in accordance with Part III, Section D.2.(b) of this general permit, and an approximate outline of the areas draining to each outfall;

h. locations and descriptions of all non-stormwater discharges identified under Part V, Section J.8.

i. locations of the following activities where such activities are exposed to stormwater:

(i) fueling and maintenance areas;

(ii) locations used for the treatment, storage, or disposal of wastes;

(iii) liquid storage tanks;

(iv) immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility;

(v) transfer areas for substances in bulk; and machinery; and

(vi) locations and sources of runon to the facility from adjacent property that contains significant quantities of pollutants.

(c) Potential Pollutant Sources. For each area of the mine or mill site, including onsite and offsite haul and access roads, where stormwater discharges associated with industrial activities occur, the permittee shall document in the SWP3 the types of pollutants (e.g., heavy metals, sediment) likely to be present in significant amounts.

(d) Permittees shall minimize, to the extent practicable, the off-site vehicle tracking of sediments and the generation of dust. The SWP3 must include a description of controls utilized to accomplish this requirement.

(e) Discharges from dewatering activities, including discharges from dewatering of trenches and excavations, are prohibited, unless managed by appropriate controls.

(f) 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 dewater standing water from the site.

**10. Inactive and Unstaffed Sites – Monitoring Waivers**

Conditional exemption from routine inspections, quarterly visual assessments, and benchmark monitoring:

A permitted operator of an inactive and unstaffed Sector J facility, including temporarily inactive and unstaffed sites may be waived from the routine inspection, quarterly visual assessment and benchmark monitoring requirements. These permittees are conditionally exempt from the requirement to certify that there are no industrial materials or activities exposed to stormwater, provided that all of the following conditions are met:

(a) If circumstances change and the facility becomes active or staffed, this exemption no longer applies and the operator must immediately begin complying with the applicable benchmark monitoring requirements as if they were in their first year of permit coverage, as well as the quarterly visual assessment requirements; and

(b) the discharge does not cause, have a reasonable potential to cause, or contribute to a violation of applicable water quality standards.

Subject to the two conditions above, if a Sector J facility is inactive and unstaffed, the operator is waived from the requirement to conduct quarterly visual assessments, routine facility inspections, and benchmark monitoring. The operator is still responsible for notifying TCEQ about the status of the facility according to Part II.C.5 and 6.

Inactive industrial facilities must continue to conduct comprehensive site compliance inspections on at least an annual basis as described in Part III, Section B.5 of this permit. Inactive Sector J facilities may not obtain a waiver from comprehensive site compliance inspections.

**11. Termination of Permit Coverage**

(a) The permittee shall continue to meet the requirements of this general permit until authorization under the general permit is terminated. The permittee may terminate coverage by submitting an NOT in accordance with Part II.C.7 of this general permit. For the purposes of this section (Sector J), Part II.C.7.(a)(1)c. of the general permit, related to termination of coverage, means either that final stabilization of the site must be achieved or the site must be returned to an alternative post-mining use.

(b) A site or portion of a site is considered to have achieved final stabilization or to be returned to an alternative post mining use if the permittee can demonstrate that it has accomplished either of the following two conditions, (1) or (2):

(1) Final Stabilization. To achieve final stabilization, the permittee shall insure that all of the following requirements (a through d) have been met:

a. Stormwater runoff that comes into contact with raw materials, intermediate byproducts, finished products, and waste products does not have the potential to cause or contribute to violations of state water quality standards.

b. Soil disturbing activities related to mining at the site or portion of the site have been completed.

c. The site or portion of the site has been stabilized to minimize soil erosion.

d. If appropriate depending on the type, location, or size of the site, and its potential to contribute pollutants to stormwater discharges, the site or portion of the site has been revegetated, will be amenable to natural revegetation, or will be left in a condition consistent with the post-mining land use described in paragraph (2) below.

(2) Alternative Post Mining Use: For the purposes of this section, a permittee may submit an NOT to terminate coverage if the land has been returned to an alternative post-mining land use. For example, this may include construction pad sites and lakes.

## Section K. Sector K of Industrial Activity - Hazardous Waste Treatment, Storage, and Disposal Facilities

### 1. Description of Industrial Activity

Sector K facilities include those facilities with activities directly related to the treatment, storage, and disposal of hazardous wastes, including those that are operating under the regulatory authority and authorization of Subtitle C of the Resource Conservation and Recovery Act (RCRA).

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

*Activity Codes and SIC Code Description*

HZ Hazardous Waste Treatment, Storage, and Disposal Facilities

### 2. Covered Stormwater Discharges

Stormwater discharges from treatment, storage, or disposal facilities as defined under 30 TAC Chapter 335, Subchapter E (40 CFR Part 265), 30 TAC Chapter 305 (40 CFR Part 270), and 30 TAC Chapter 335, Subchapter F (40 CFR Part 264), including those operating under interim status or a permit under these rules, may obtain coverage under this general permit if other applicable requirements are met.

### 3. Limitations on Permit Coverage

(a) Coverage is limited to those facilities that treat, store, or dispose of hazardous waste and are defined under 30 TAC Chapter 335, Subchapter E (40 CFR Part 265), 30 TAC Chapter 305 (40 CFR Part 270), or 30 TAC Chapter 335, Subchapter F (40 CFR Part 264), including those operating under interim status or a permit under these rules. The executive director may require an individual TPDES permit for any discharges under this sector if conditions warrant.

(b) This section does not include generators who temporarily store hazardous waste pursuant to the requirements in 30 TAC §§335.69 (40 CFR §262.34), 335.2(d)(5), 335.41, or 335.94 (40 CFR §263.12). Based on the facility SIC code, operators of such facilities may be regulated under an alternative sector of this general permit, or may not require permit coverage.

(c) This general permit does not authorize the discharge of landfill wastewater subject to federal effluent guidelines at 40 CFR Part 445 (Landfills Point Source Category), including, but not limited to: leachate; gas collection condensate; drained free liquids;

laboratory derived wastewater; contaminated stormwater; and contact washwater from washing truck, equipment and railcar exteriors and surface areas that have come in direct contact with solid waste at the landfill facility. The discharge or disposal of landfill wastewater subject to federal effluent guidelines at 40 CFR Part 445 must be authorized under an individual TPDES permit or other authorized means.

(d) All facilities regulated under this general permit that treat, store, or dispose of hazardous waste must comply with all applicable rules and regulations, including 30 TAC Chapters 305 and 335.

## 4. Definitions

**Contaminated stormwater.** Stormwater that comes into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater. Some specific areas of a landfill that may produce contaminated stormwater include (but are not limited to) the open face of an active landfill with exposed waste (no cover added); the areas around wastewater treatment operations; trucks, equipment, or machinery that has been in direct contact with the waste; and waste dumping areas.

**Drained free liquids.** Aqueous wastes drained from waste containers (e.g., drums) prior to land filling.

**Landfill.** A disposal facility or part of a facility where solid waste or hazardous waste is placed in or on land and that is not a pile, a land treatment facility, a surface impoundment, an injection well, a salt dome formation, a salt bed formation, an underground mine, a cave, or a corrective action management unit, as these terms are defined elsewhere in TCEQ or EPA rules.

**Landfill wastewater.** As defined in 40 CFR Part 445 (Landfills Point Source Category), all wastewater associated with, or produced by, land filling activities except for sanitary wastewater, non-contaminated stormwater, contaminated groundwater, and wastewater from recovery pumping wells. Landfill wastewater includes, but is not limited to, leachate, gas collection condensate, drained free liquids, laboratory derived wastewater, contaminated stormwater, and contact washwater from washing truck, equipment, and railcar exteriors and surface areas that have come in direct contact with solid waste at the landfill facility.

**Leachate.** Any liquid, included any suspended components in the liquid, that has percolated through or drained from solid waste or hazardous waste.

**Non-contaminated stormwater.** Stormwater that does not come into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater. Non-contaminated stormwater includes stormwater that flows off the cap, cover, intermediate cover, daily cover, or final cover of the landfill.

## 5. Benchmark Monitoring Requirements

The following subsections must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values in Table 21:

**Table 21. Benchmark Monitoring Requirements for Sector K**

| Activity Code | Description of Industrial Activity | Benchmark Parameter | Benchmark Value |
|---|---|---|---|
| HZ | Hazardous Waste Treatment, Storage, and Disposal | Ammonia-Nitrogen<br>Magnesium, total<br>COD<br>Arsenic, total<br>Cadmium, total<br>Cyanide, total<br>Lead, total<br>Mercury, total<br>Selenium, total<br>Silver, total | 1.7 mg/L<br>1.4 mg/L<br>60 mg/L<br>0.010 mg/L<br>0.001 mg/L<br>0.02 mg/L<br>0.010 mg/L<br>0.0002mg/L<br>0.01 mg/L<br>0.002 mg/L |

## Section L. Sector L of Industrial Activity - Landfills and Land Application Sites

### 1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector L. Sector L industrial activities are described by the following Industrial Activity Code:

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

*Activity Codes and SIC Code Description*

LF -Landfills, Land Application Sites, and Open Dumps that Receive or Have Previously Received Industrial Waste, including sites subject to regulation under Subtitle D of the Resource Conservation and Recovery Act (RCRA).

### 2. Definitions

The following definitions apply only to Section L of this general permit:

**Contaminated Stormwater.** Stormwater that comes into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater. Some areas of a landfill that may produce contaminated stormwater include (but are not limited to) the open face of an active landfill with exposed waste (no cover added); the areas around wastewater treatment operations; trucks, equipment, or machinery that has been in direct contact with the waste; and waste dumping areas.

**Drained Free Liquid.** Aqueous wastes drained from waste containers (e.g., drums) prior to land filling.

**Final Cover.** As described in 30 TAC Chapter 330.

**Final Stabilization.** For the purpose of this permit, includes all requirements needed to achieve final regulatory closure of the site.

**Inactive Landfill.** A facility that no longer receives waste and has completed closure according to all applicable federal, state, and local requirements, but where an authorization under this general permit is maintained.

**Industrial Waste.** Solid waste from manufacturing portions of industrial activities defined in this general permit.

**Intermediate Cover.** As described in 30 TAC Chapter 330.

**Landfill.** A solid waste management unit where solid waste is placed in or on land and that is not a pile, a land treatment unit, a surface impoundment, an injection well, a salt dome formation, an underground mine, a cave, or a corrective action management unit.

**Landfill Wastewater.** As defined in 40 CFR Part 445 (Landfills Point Source Category) all wastewater associated with, or produced by, land filling activities except for sanitary wastewater, non-contaminated stormwater, contaminated groundwater, and wastewater from recovery pumping wells. Landfill process wastewater includes, but is not limited to, leachate, gas collection condensate, drained free liquids, laboratory-derived wastewater, contaminated stormwater, and contact wash water from washing truck, equipment, and railcar exteriors and surface areas that have come in direct contact with solid waste at the landfill facility.

**Land Application Site, or Land Treatment Facility**. For the purpose of this permit, a facility or part of a facility at which solid waste is applied onto or incorporated into the soil surface and that is not a corrective action management unit; such facilities are disposal facilities if the waste will remain after closure.

**Leachate.** Liquid that has passed through or emerged from solid waste and contains soluble, suspended, or miscible materials removed from such waste.

**Municipal Solid Waste (MSW).** Solid waste, resulting from or incidental to municipal, community, commercial, institutional, and recreational activities, including garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles, and all other solid waste other than industrial solid waste.

**Municipal Solid Waste Facility.** All contiguous land, structures, other appurtenances, and improvements on the land used for processing, storing, or disposing of solid waste. A facility may be publicly or privately owned and may consist of several processing, storage, or disposal operational units, e.g., one or more landfills, surface impoundments, or combinations of them.

**Municipal Solid Waste Landfill Unit.** A discrete area of land or an excavation that receives household waste and that is not a land application unit, surface impoundment, injection well, or waste pile, as those terms are defined under 40 CFR §257.2. A municipal solid waste (MSW) landfill unit also may receive other types of Resource Conservation and Recovery Act (RCRA) Subtitle D wastes, such as commercial solid waste, nonhazardous sludge, conditionally exempt small-quantity generator waste, and industrial solid waste. Such a landfill may be publicly or privately owned. An MSW landfill unit may be a new MSW landfill unit, an existing MSW landfill unit, a vertical expansion, or a lateral expansion.

**Non-Contaminated Stormwater.** Stormwater that does not come into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater. Non-contaminated stormwater includes stormwater that flows off the cap, cover, intermediate cover, intact daily cover, or final cover of the landfill.

**Open Dump.** A facility for the disposal of solid waste that is not otherwise defined in this section.

**Temporary Stabilization.** A condition where exposed soils or disturbed areas are provided a protective cover, which may include temporary seeding, geotextiles, mulches, and other techniques to reduce or eliminate erosion until either final stabilization can be achieved or until further construction activities take place.

### 3. Covered Stormwater Discharges

(a) This permit authorizes the discharge of non-contaminated stormwater and uncontaminated groundwater associated with waste disposal at landfills, land application sites, and open dumps that receive or have received solid waste from an industrial activity covered under this general permit, including sites subject to regulation under Subtitle D of RCRA.

(b) Landfill activities include the construction of new landfill cells that take place as part of normal landfill operations. This permit does not cover stormwater discharges from the initial construction of the landfill.

(c) Stormwater discharges from sites where wastewater or sludge is land applied is not required to be permitted, provided that the disposal site is properly permitted by the TCEQ or the EPA, and that stormwater runoff from the disposal site does not contact the wastewater or sludge.

### 4. Limitations on Permit Coverage

(a) This general permit does not authorize the discharge of landfill wastewater subject to federal effluent guidelines at 40 CFR Part 445 (Landfills Point Source Category), including: leachate; gas collection condensate; drained free liquids; laboratory derived wastewater; contaminated stormwater; and contact wash water from washing truck, equipment and railcar exteriors. The discharge or disposal of landfill wastewater must be authorized under an individual TPDES permit or other authorized means.

(b) Non-contaminated stormwater discharges from any landfill; land application site; or open dump that does not receive or has not received any solid waste from industrial activities regulated under this permit does not require authorization under this permit.

(c) Closed Landfills. Permit Coverage is not required for a landfill that has received written acknowledgement of final facility closure from the executive director, in accordance with TCEQ's solid waste regulations. Closed or inactive landfills that are no longer in use but that have not received final closure approval from TCEQ (and hence have not begun the 30 year post closure monitoring), would still be considered industrial activities and coverage should be maintained as an inactive landfill.

(d) All permittees regulated under this section of the general permit that generate solid waste, including municipal solid waste, shall comply with all applicable rules and regulations, including 30 TAC Chapter 330.

### 5. Additional SWP3 Requirements

(a) Maintenance Program. The permittee shall maintain all elements of leachate collection and treatment systems in order to prevent the discharge of stormwater that has commingled with leachate, contaminated stormwater, or other landfill wastewater. The permittee shall also maintain integrity and effectiveness of any intermediate or final cover (including repairing the cover as necessary), for the purpose of minimizing the effects of settlement, sinking, and erosion.

(b) Erosion and Sedimentation Control Measures. The permittee shall provide temporary stabilization for the following areas and activities:

(1) materials stockpiled for daily, intermediate, and final cover;

(2) inactive areas of the landfill or open dump;

(3) landfills or open dump areas that have gotten final covers but where vegetation has yet to establish itself; and

(4) land application sites where waste application has been completed but final vegetation has not yet been established.

(c) Investigation and Certification of Non-Stormwater Discharges. The permittee shall include leachate, vehicle wash water, and contaminated stormwater in its investigation and certification of non-stormwater discharges.

(d) Site Map. The site map must depict the locations of the following:

(1) Active, inactive, and closed solid waste landfill cells or units;

(2) active and closed land application areas;

(3) any known leachate springs or similar uncontrolled leachate sources that could contact stormwater; and

(4) leachate collection and treatment systems.

(e) Summary of Potential Pollutant Sources. The SWP3 must include documentation of the following activities:

(1) fertilizer, herbicide, and pesticide application;

(2) earth and soil moving;

(3) waste hauling and loading or unloading;

(4) outdoor storage of significant materials, including daily, intermediate, and final cover material stockpiles as well as temporary waste storage areas;

(5) exposure of active and inactive landfill and land application areas;

(6) uncontrolled leachate flows; and

(7) failure or leaks from leachate collection and treatment systems.

(f) Periodic Inspections.

(1) Inactive sites. For inactive landfills and land application sites, this section of the SWP3 must include inspection procedures for qualified personnel to evaluate the stabilization and structural erosion control measures, as well as the leachate collection and treatment systems.

(2) Periodic Inspection Frequency. Inspection procedures must be developed according to the standard periodic inspection requirements described in Part III, Section B. of this general permit, but inspections must be conducted at the following frequencies:

a. for active landfills, open dumps, and land application sites, at least once every seven (7) days; alternatively, in arid areas, inspections may be conducted at least once each month; or

b. for areas of landfill sites where landfill activities are completed and soils are finally stabilized, and for land application sites where land application has been completed, inspections must be conducted at least once every month.

(g) Erosion Control Measures. The permittee shall provide temporary stabilization of all materials that are stockpiled and stored for future use. Inactive areas of the landfill with stockpiled materials that have intermediate cover, but no final cover, must be

stabilized. Inactive areas that have received final cover must be temporarily stabilized until final stabilization measures are completed. Inactive land application areas must be temporarily stabilized until final stabilization measures are completed.

(h) Records. Operators of landfills or open dumps shall keep records of the types of wastes disposed of in each cell or trench, and land application site operators shall maintain a tracking system to define the types and quantities of wastes applied within specific areas of the application site. These records must either be included in the SWP3 or be referenced and made readily available for review upon request by authorized TCEQ personnel as well as any local pollution control agency with jurisdiction.

### 6. Benchmark Monitoring Requirements

The following subsections must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

**Table 22. Benchmark Monitoring Requirements for Activity Codes in Sector L**

| Activity Code | Description of Industrial Activity | Benchmark Parameter | Benchmark Value |
|---|---|---|---|
| LF | Landfills, Land Application Sites, and Open Dumps | TSS<br>Iron, total* | 100 mg/L<br>1.3 mg/L |

*Sampling for total iron is not required for discharges from municipal solid waste landfill areas that have been closed in accordance with 40 CFR §258.60.

## Section M. Sector M of Industrial Activity - Automobile Salvage Yards

### 1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector M. Sector M industrial activities are described by the following SIC code:

**SECTOR M: AUTOMOBILE SALVAGE YARDS**

*SIC Codes* *SIC Code Description*

5015 Automobile Salvage Yards

(See Part II, Section A.1.b for a detailed list of SIC codes)

### 2. Additional SWP3 Requirements

(a) Employee Training. The following areas must be addressed in the employee training program: proper handling (collection, storage, and disposal) of oil, used mineral spirits, anti-freeze, mercury switches, and solvents.

(b) Site Map. Include the locations of the following:

(1) vehicle and vehicle parts storage areas;

(2) vehicle dismantling areas;

(3) vehicle and equipment fueling and maintenance areas;

(4) vehicle, parts, and equipment cleaning areas;

(5) waste treatment, storage and disposal areas; and

(6) areas where fluids or fuels are stored in drums, tanks, or other containers.

(c) The SWP3 must include an assessment of the potential for each of the areas listed above to contribute pollutants to stormwater discharges from the site.

(d) Spill Prevention and Response Measures.

(1) Vehicles must be inspected for leaking fluids upon arrival at the facility. Actions must be immediately taken to prevent the discharge of fluids according to specific measures established by the operator within the spill prevention and response measures section of the SWP3. Upon the arrival (or as soon after the arrival as feasible) of vehicles at the site that are intended to be dismantled, the permittee shall drain those vehicles of all fluids, or shall employ another equivalent mean to prevent spills and leaks.

(2) Vehicles that are stored but are not drained of fluids must be inspected for leaks at least once per quarter. These inspections may be incorporated as part of the standard periodic inspections. The spill prevention and response measures must be developed with specific guidelines for inspecting stored vehicles and measures to be taken when vehicles are identified as leaking or in danger of developing leaks. All fluids must be handled and disposed of according to all applicable state and federal regulations.

(e) Periodic Inspections. Equipment containing oily parts, hydraulic fluids, or other fluids must be inspected for leaks during the periodic inspections.

(f) Good Housekeeping Measures. Equipment operators shall conduct inspections of equipment on a daily basis when equipment is in use.

(g) Employee Training Program and Employee Education. The employee training program must include training on the following operations at facilities where these activities occur, or wastes are generated:

(1) used oil and spent solvent management;

(2) management of metal filings and dust from welding, grinding, and similar operations that produce metal waste; and

(3) lead-acid battery management.

### 3. Benchmark Monitoring Requirements

The following subsections must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

**Table 23. Benchmark Monitoring Requirements for Subsections in sector M**

| SIC Code | Description of Industrial Activity | Benchmark Parameter | Benchmark Value |
|---|---|---|---|
| 5015 | Automobile Salvage Yards | Aluminum, total<br>TSS<br>Iron, total<br>Lead, total | 1.2 mg/L<br>100 mg/L<br>1.3 mg/L<br>0.010 mg/L |

## Section N. Sector N of Industrial Activity - Scrap and Waste Recycling Facilities

### 1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector N. Sector N industrial activities are described by the following SIC Code:

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

| *SIC Codes* | *SIC Code Description* |
|---|---|
| 5093 | Scrap and Waste Recycling Facilities (e.g., metals, paper, plastic, cardboard, glass, animal hides, used oil, antifreeze, mineral spirits, industrial solvents, computers, electronics, and other materials listed in the SIC Code Manual Under SIC 5093) |

(See Part II, Section A.1.b for a detailed list of SIC codes)

### 2. Limitations on Permit Coverage

Stormwater discharges from storage or stockpile areas for metal turnings previously exposed to cutting oils, are only eligible for coverage if these materials are isolated from stormwater by storm resistant shelters or if the following BMPs are implemented:

(a) dedicated containment areas are used that include a perimeter barrier to prevent stormwater runon and runoff; containment areas and perimeter barriers are constructed of concrete, or other similar impermeable oil-resistant materials; and

(b) if discharges only occur following treatment through an oil/water separator or similarly efficient treatment unit.

### 3. Additional SWP3 Requirements

(a) Requirements for Specific Facilities:

(1) Scrap and Waste Recycling Facilities (Non-Source Separated, Non-liquid Recyclable Materials). The requirements below apply to facilities that receive, process, and wholesale distribute non-liquid recyclable wastes (e.g., ferrous and nonferrous metals, plastics, glass, cardboard, and paper) and that may receive both non-recyclable and recyclable materials. These requirements do not apply to facilities that accept recyclables only from sources that are primarily non-industrial and residential.

a. Inbound Recyclable and Waste Material Control Program. The permittee shall conduct inspections of inbound recyclables and waste materials to minimize the acceptance materials that could be significant sources of pollutants.

b. Scrap and Waste Material Stockpiles and Storage (Outdoor). The permittee shall minimize the potential for stormwater to contact stockpiled materials, processed materials, and non-recyclable wastes.

c. Stockpiling of Turnings Exposed to Cutting Fluids (Outdoor Storage). The permittee shall minimize the potential for stormwater to contact residual cutting fluids.

d. Scrap and Waste Material Stockpiles and Storage (Covered or Indoor Storage). The permittee shall minimize the potential for stormwater to contact residual liquids and particulate matter from materials stored indoors or under cover.

e. Scrap and Recyclable Waste Processing Areas. The permittee shall minimize the potential for stormwater to contact scrap processing equipment by addressing operations that generate visible amounts of particulate residue (e.g., shredding) and minimizing the contact of accumulated particulate matter and residual fluids with runoff (e.g., through good housekeeping, preventive maintenance).

f. Scrap Lead-Acid Battery Program. The permittee shall properly handle, store, and dispose of scrap lead-acid batteries, and shall segregate scrap lead-acid batteries from other scrap materials.

g. Spill Prevention and Response Procedures. The permittee shall install alarms or pump shutoff systems on outdoor equipment with hydraulic reservoirs exceeding 150 gallons in the event of a line break. Alternatively, the permittee may use a secondary containment system capable of holding the entire contents of the reservoir plus room for precipitation. The permittee shall use a mercury spill kit for any release of mercury from switches, anti-lock brake systems, and switch storage areas.

(2) Waste Recycling Facilities (Liquid Recyclable Materials).

a. Waste Material Storage (Indoor). The permittee shall minimize the potential for stormwater to contact residual liquids from waste materials stored indoors.

b. Waste Material Storage (Outdoor). The permittee shall minimize the potential for stormwater to contact stored residual liquids. The SWP3 may refer to applicable portions of other existing plans, such as SPCC plans required by 40 CFR Part 112.

c. Trucks and Rail Car Waste Transfer Areas. The permittee shall minimize the potential for pollutants in discharges from truck and rail car loading and unloading areas, and shall include measures to clean up minor spills and leaks resulting from the transfer of liquid wastes.

(3) Recycling Facilities (Source-Separated Materials). The following requirements apply to facilities that receive only source-separated recyclables, primarily from non-industrial and residential sources (e.g. local government recycling facility).

a. Inbound Recyclable Material Control. The permittee shall minimize the chance of accepting non-recyclables (e.g., hazardous materials) that could be a significant source of pollutants by conducting inspections of inbound materials.

b. Outdoor Storage. The permittee shall minimize exposure of recyclables to stormwater, and shall use good housekeeping measures to prevent accumulation of particulate matter and fluids, particularly in high traffic areas.

c. Indoor Storage and Material Processing. The permittee shall minimize the release of pollutants from indoor storage and processing areas.

d. Vehicle and Equipment Maintenance. The permittee shall establish controls to minimize pollutants in stormwater from vehicle and equipment maintenance.

(b) Drainage Area Site Map. The site map must include the locations of any of the following activities or sources that may be exposed to precipitation or surface runoff: scrap and waste material storage, outdoor scrap and waste processing equipment; and containment areas for turnings exposed to cutting fluids.

(c) Maintenance Schedules/Procedures for Collection, Handling, and Disposal or Recycling of Residual Fluids at Scrap and Waste Recycling Facilities. For any facility that is subject to Part V, Section N.3.(a)(3) above, the SWP3 must identify any applicable maintenance schedule and the procedures to collect, handle, and dispose or recycle residual fluids.

(d) Additional Inspection Requirements. Routine Facility Inspections must be performed once per quarter as described in Part III, Section B.2., and must include, at a minimum, all areas where waste is generated, received, stored, treated, or disposed and that are exposed stormwater.

### 4. Benchmark Monitoring Requirements

The following subsections must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

**Table 24. Benchmark Monitoring Requirements for Subsections in sector N**

| SIC Code | Description of Industrial Activity | Benchmark Parameter | Benchmark Value |
|---|---|---|---|
| 5093 | Scrap and Waste Recycling Facilities | Copper, total<br>Aluminum, total<br>Iron, total<br>Lead, total<br>Zinc, total<br>TSS<br>COD | 0.030 mg/L<br>1.2 mg/L<br>1.3 mg/L<br>0.010 mg/L<br>0.16 mg/L<br>100 mg/L<br>60 mg/L |

## Section O. Sector O of Industrial Activity - Steam Electric Generating Facilities

### 1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector O. Sector O industrial activities are described by the following Industrial Activity Code:

**SECTOR O: STEAM ELECTRIC GENERATING FACILITIES**

*Activity Code and SIC Code Description*

SE - Steam Electric Power Generating Facilities

### 2. Covered Stormwater Discharges

The requirements of this section apply to stormwater discharges from the following facilities:

(a) Steam electric power generating facilities as defined in 40 CFR §122.26(b)(14)(vii), that use coal, natural gas, oil, nuclear energy, or other fuel to produce a steam source, including facilities regulated under 40 CFR Part 423 (Steam Electric Power Generating Point Source Category);

(b) coal handling areas located at regulated facilities;

(c) coal pile runoff at regulated facilities; and

(d) duel fuel facilities that could employ a steam boiler.

**3. Limitations on Permit Coverage**

(a) Non-stormwater discharges subject to effluent limitations guidelines at 40 CFR Part 423 are not eligible for coverage under this general permit.

(b) Stormwater discharges from the following types of facilities are not required to obtain permit coverage and are not eligible for coverage under this general permit:

(1) ancillary facilities (for example, fleet centers and substations) that are not contiguous to a steam electric power generating facility;

(2) gas turbine facilities (providing the facility is not a dual-fuel facility that includes a steam boiler) and combined-cycle facilities where no supplemental fuel oil is burned (and the facility is not a dual-fuel facility that includes a steam boiler); and

(3) cogeneration (combined heat and power) facilities utilizing a gas turbine.

**4. Additional SWP3 Requirements**

(a) Drainage Area Site Map. The site map must clearly identify the locations of any of the following activities or sources, if they are exposed to stormwater: storage tanks, scrap yards, and general refuse areas; areas used for short-term or long-term storage of general materials; landfills; and stock pile areas.

(b) Good Housekeeping Measures. The permittee shall implement the following housekeeping measures, which must also be documented in the SWP3:

(1) Fugitive Dust Emissions. Minimize fugitive dust emissions from coal handling areas, and the tracking of coal dust offsite.

(2) Minimize the potential for stormwater contamination from the following areas or activities:

a. delivery vehicles arriving at the plant site;

b. fuel oil unloading areas;

c. chemical loading and unloading;

d. miscellaneous loading and unloading areas;

e. above-ground liquid storage tanks;

f. large bulk fuel storage tanks;

g. oil-bearing equipment in switchyard areas;

h. areas adjacent to disposal ponds or landfills; and

i. landfills, scrap yards, surface impoundments, open dumps, general refuse sites.

(3) Spill Reduction Measures. Implement BMPs to minimize the potential for an oil or chemical spill, or reference the appropriate part of a SPCC plan, if applicable.

(4) Residue-Hauling Vehicles. Inspect all residue-hauling vehicles for proper covering over the load, adequate gate sealing, and overall integrity of the container body. Repair vehicles without load covering or adequate gate sealing, or with leaking containers or beds.

(5) Ash Loading Areas. Reduce or control the tracking of ash and residue from ash loading areas. Clear the ash building floor and immediately adjacent roadways of spillage, debris, and excess water before departure of each loaded vehicle.

(c) Additional Inspection Requirements

(1) Periodic Inspections. In addition to the standard routine facility inspection requirements described in Part III, Section B.2. of this general permit, visual inspections must be conducted at least once per week to determine the structural integrity of above-ground storage tanks, pipelines, pumps and other related equipment. If repairs are necessary, they must be performed as expeditiously as practicable; except that repairs must be made immediately if there is a risk to water quality.

(2) Comprehensive Site Compliance Evaluation. In addition to the standard site compliance inspections described in Part III, Sections B.2. and B.5. of this general permit, personnel must inspect coal handling areas, loading/unloading areas, switchyards, fueling areas, bulk storage areas, ash handling areas, disposal ponds and landfills, maintenance areas, liquid storage tanks, and material storage areas at a minimum frequency of once per month.

## 5. Numeric Effluent Limitations

(a) The following numeric effluent limitations, based on guidelines from the Steam Electric Generating Point Source Category [40 CFR §§423.12 (b)(1) and (9)], apply to any stormwater runoff from coal pile storage areas. Samples of these discharges must be obtained before the runoff combines with any other discharge, and shall be analyzed for the following pollutants. The analytical result must not exceed the following numeric effluent limitations:

**Table 25. Numeric Effluent Limitations for Sector O Facilities discharging Coal Pile Runoff**

| Industrial Activity | Parameter [1] | Limitations Daily Max |
|---|---|---|
| Discharges from Coal Storage Piles at Steam Electric Generating Facilities | TSS | 50 mg/L |
| | pH | 6.0-9.0 S.U. |

[1] Monitor annually.

(b) Waivers from Numeric Effluent Limitations. Numeric effluent limitations for runoff from coal pile storage areas do not apply to discharges that overflow from structural control facilities that are designed to contain and treat runoff from a 10-year, 24-hour storm event. The permittee shall maintain, as a part of the SWP3, the following information in order to receive this waiver: engineering design records that demonstrate structural controls are adequate to intercept, contain, and treat the volume of runoff from a 10-year, 24-hour storm event; and records of rainfall from an on-site rain gauge, a representative weather station, or subject to TCEQ's approval, an

alternative means of compliance. Rainfall records are only required to document events that equal or exceed a 10-year, 24-hour event.

### 6. Benchmark Monitoring Requirements

The following subsections must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

**Table 26. Benchmark Monitoring Requirements for Subsections in Sector O**

| Activity Code | Description of Industrial Activity | Benchmark Parameter | Benchmark Value |
|---|---|---|---|
| SE | Steam Electric Power Generating Facilities | Iron, total<br>TSS | 1.3 mg/L<br>50 mg/L |

## Section P. Sector P of Industrial Activity - Land Transportation and Warehousing

Land Transportation and Warehousing includes the following types of facilities: motor freight transportation facilities; passenger transportation facilities; petroleum bulk oil stations and terminals; rail transportation facilities; and United States Postal Service (USPS) transportation facilities.

### 1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector P. Sector P industrial activities are described by the following SIC codes:

**SECTOR P: LAND TRANSPORTATION AND WAREHOUSING**

| *SIC Codes* | *SIC Code Description* |
|---|---|
| 4011, 4013 | Railroad Transportation |
| 4111 – 4173 | Local and Highway Passenger Transportation |
| 4212 – 4215 | Trucking and Courier Services, Except Air |
| 4221, 4222 | Farm Product Warehousing and Storage; and Refrigerated Warehousing and Storage |
| 4225 | General Warehousing and Storage |
| 4226 | Special Warehousing and Storage, Not Elsewhere Classified |
| 4231 | Terminal and Joint Terminal Maintenance Facilities for Motor Freight Transportation |
| 4311 | United States Postal Service |
| 5171 | Petroleum Bulk Stations and Terminals |

(See Part II, Section A.1.b for a detailed list of SIC codes)

**2. Covered Stormwater Discharges**

(a) For facilities described by SIC codes listed above, except for SIC codes 4221, 4222, and 4225, permit coverage is only required for stormwater discharges from areas where the following activities are performed: vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication) or equipment cleaning. Coverage for stormwater runoff from additional areas may be obtained as described in Part V, Section P.2.(d) below.

(b) For SIC codes 4221, 4222, and 4225, permit coverage is required for stormwater discharges from all areas of the facility. Facilities described by these SIC codes must obtain coverage by submitting an NOI, or a no exposure exclusion by submitting an NEC form, except as described in Part V, Section P.2.c. below for facilities described by SIC code 4225 only (General Warehousing and Storage) that do not have areas where vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication) or equipment cleaning activities are performed.

(c) Facilities described by SIC code 4225 that do not have areas where vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication) or equipment cleaning activities are performed are designated for coverage under this general permit and are not required to submit an NOI for coverage. These facilities must comply only with the following permit requirements and are not subject to additional requirements that are listed in this permit:

(1) The facility must maintain conditions that ensure there is no exposure of industrial activities to stormwater;

(2) The facility operator must comply with the requirements of Part III, Section E. of this general permit, related to Standard Permit Conditions, except that the operator is not required to submit an NOI or NEC form, prepare a SWP3, or conduct analytical monitoring; and

(3) The site must not contain any areas that are used for vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication) or equipment cleaning activities.

The facility operator must apply for coverage if any of the requirements listed above are not met. If the TCEQ determines that additional controls are required other than those listed above, or that there is a concern regarding the discharge of elevated levels of pollutants, then the TCEQ may require a facility described by SIC code 4225 to obtain coverage and meet all permit conditions through submittal of an NOI or an individual permit application.

(d) Runoff from materials storage or handling areas:

(1) The permittee may obtain authorization to discharge stormwater under this general permit from additional areas of Sector P facilities where materials, intermediates, or products are stored or handled, and where the discharge from these areas would otherwise require authorization under a TPDES individual permit or alternative general permit. This permit does not authorize the discharge of any process wastewater from material storage or handling areas, including contaminated stormwater.

(2) In order to obtain coverage for any materials storage or handling areas, the permittee shall ensure that the SWP3 addresses these areas and that the SWP3

contains the following additional elements, in addition to those required in Part III of this general permit:

a. list of the pollutants that may be present in the material and exposed to precipitation or runoff;

b. an indication on the site map of all material storage and handling areas that are being included under the MSGP authorization; and

c. description and implementation of BMPs that specifically address the material that is exposed to rainfall or runoff.

(3) This section does not expand the definition of stormwater associated with industrial activity. If runoff from the materials storage and handling areas are not subject to TPDES wastewater permitting, then the SWP3 is not required to address these areas.

**3. Limitations on Coverage**

(a) Prohibited Discharges. Except as allowed in Part II, Section A.6, related to non-stormwater discharges, this general permit does not authorize the discharge of wastewater resulting from washing vehicles, equipment, or other surfaces, including tank cleaning operations. These discharges must be authorized under a separate TPDES permit, discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements, recycled on-site, or disposed by an alternate authorized means. The permittee shall keep records of the disposal authorization for this wash water (e.g., individual TPDES permit, discharge to publicly-owned treatment works, or contract with hauling company).

(b) Storage of Crude Oil. Discharges of stormwater from Petroleum Bulk Stations and Terminals (SIC 5171) with aboveground storage of crude oil only, are under the regulatory authority of the Railroad Commission of Texas (RRC), and are not eligible for coverage under this general permit.

Stormwater discharges from SIC 5171 facilities with aboveground storage of both crude oil and refined products that are intended for offsite use are under the jurisdiction of the TCEQ. These facilities must obtain authorization to discharge stormwater under this general permit.

This general permit does not authorize discharges of stormwater from Petroleum Bulk Stations and Terminals where crude oil is stored prior to refining and where refined products are stored solely for use at the facility. These types of facilities are under the regulatory authority of the RRC. Authorization for these discharges must be obtained through application for a NPDES permit with the EPA and authorization from the RRC, if applicable.

If circumstances arise where a portion of a site is regulated by the TCEQ, and a portion of a site is regulated by the EPA and RRC, authorization for stormwater discharges must be obtained from the TCEQ for the TCEQ-regulated portions, and from the EPA and RRC for the RRC-regulated portions of the site, including developing separate SWP3s.

**4. Additional SWP3 Requirements**

(a) Good Housekeeping Measures. In addition to the good housekeeping SWP3 requirements in Part III, Section A.4 of this general permit, the permittee must

implement the following control measures, and must document in the SWP3 the measures being used for each measure:

(1) Vehicle and Equipment Storage Areas. Minimize the potential for stormwater exposure to leaky or leak-prone vehicles or equipment that are awaiting maintenance.

(2) Fueling Areas. Minimize contamination of stormwater from fueling areas.

(3) Material Storage Areas. Maintain all material containers (e.g., for used oil/oil filters, spent solvents, paint wastes, hydraulic fluids) to prevent contamination of stormwater and plainly label them (e.g., "Used Oil," "Spent Solvents").

(4) Vehicle and Equipment Maintenance and Cleaning Areas. Minimize contamination of stormwater runoff from all areas used for vehicle and equipment maintenance or cleaning.

(5) Locomotive Sanding (Loading Sand for Traction) Areas.

(b) Employee Training. The permittee shall include the following information, as applicable, in its employee training: used oil and spent solvent management; fueling procedures; general good housekeeping practices; proper painting procedures; and used battery management.

(c) Drainage Area Site Map. The site map must identify the following areas of the facility and indicate whether activities occurring there may be exposed to stormwater: fueling stations; vehicle/equipment maintenance or cleaning areas; storage areas for vehicle/equipment with actual or potential fluid leaks; loading/unloading areas; areas where treatment, storage or disposal of wastes occur; liquid storage tanks; processing areas; and storage areas.

(d) Potential Pollutant Sources. The SWP3 must assess the potential for the following activities and facility areas to contribute pollutants to stormwater discharges: onsite waste storage or disposal; dirt/gravel parking areas for vehicles awaiting maintenance; illicit plumbing connections between shop floor drains and the stormwater conveyance system(s); and fueling areas.

(e) Spill Prevention and Response Measures. Vehicles and equipment that are scheduled for maintenance and that have potential fluid leaks must be confined to a designated area. The Spill Prevention and Response Measures section of the SWP3 [see Part III, Section A.4.(e)] shall define specific measures to prevent spills and to confine spills within this area. This section of the SWP3 shall also define specific measures to prevent or minimize contamination of stormwater from fueling areas.

(f) Additional Inspection Requirements. Inspection procedures must be developed according to the standard periodic inspection requirements described in Part III, Section B. of this general permit and conducted at least once per quarter in the following areas:

(1) storage areas for vehicles and equipment awaiting maintenance;

(2) fueling areas;

(3) vehicle and equipment maintenance areas;

(4) material storage areas;

(5) vehicle/equipment cleaning areas; and

(6) loading/unloading areas.

## Section Q. Sector Q of Industrial Activity - Water Transportation Facilities

### 1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector Q. Sector Q industrial activities are described by the following SIC codes:

**SECTOR Q: WATER TRANSPORTATION**

*SIC Codes* *SIC Code Description*

4412 – 4499 Water Transportation

(See Part II, Section A.1.b for a detailed list of SIC codes)

### 2. Covered Stormwater Discharges

(a) Permit coverage is only required for stormwater discharges from areas where the following activities are performed at facilities described by the SIC codes listed above: vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication) or equipment cleaning, except for retail fueling as described in paragraph 3.(b) below. Coverage for stormwater runoff from additional areas of Sector Q facilities may be obtained as described in Part V, Section Q.2.(b) below.

(b) Runoff from materials storage or handling areas.

(1) The permittee may obtain authorization to discharge stormwater under this general permit from additional areas of Sector Q facilities where materials, intermediates, or products are stored or handled, and where the discharge from these areas would otherwise require authorization under a TPDES individual permit or alternative general permit. This permit does not authorize the discharge of any process wastewater from material storage or handling areas, including contaminated stormwater.

(2) In order to obtain coverage for any materials storage or handling areas, the permittee shall ensure that the SWP3 addresses these areas and that the SWP3 contains the following additional elements, in addition to those required in Part III of this general permit:

a. a list of the pollutants that may be present in the material and exposed to precipitation or runoff;

b. an indication on the site map of all material storage and handling areas that are being included under the MSGP authorization; and

c. description and implementation of BMPs that specifically address the material that is exposed to rainfall or runoff.

(3) This section does not expand the definition of stormwater associated with industrial activity. If runoff from the materials storage and handling areas are not subject to TPDES wastewater permitting, then the SWP3 is not required to address these areas.

### 3. Limitations on Coverage

(a) This permit does not authorize the discharge of process wastewater discharges associated with a dry dock activity, bilge and ballast water, sanitary wastewater, pressure wash water, and cooling water originating from vessels.

(b) The retail sale of fuel performed at a marina without slip rental, boat storage, and other services such as cleaning and incidental repair is classified as SIC code 5541 (which includes "marine service stations – retail"). If retail fueling is the primary activity performed at the site, then permit coverage is not required. However, if a marina (SIC 4493) has a secondary SIC code of 5541, then coverage would be required for any areas of the marina where vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication) or equipment cleaning operations occur, other than the retail fueling operation described by SIC code 5541.

**4. Allowable Non-Stormwater Discharges**

Boat Rinse Water. In addition to the non-stormwater discharges allowed under Part II of this general permit, boat rinse water may be discharged from water transportation facilities such as marinas, where the boat rinse water does not contain chemicals, surfactants, or elevated temperatures. Discharge from pressure washing of boats is not authorized under this general permit.

**5. Additional SWP3 Requirements.**

The following additional requirements must be included in the SWP3, for any areas covered under this section of the general permit.

(a) Site Map. The site map must clearly show the locations of the following activities if the activities are exposed to precipitation or runoff: fueling; engine maintenance and repair; vessel maintenance and repair; pressure washing; painting; sanding; blasting; welding; metal fabrication; loading and unloading areas; locations used for the treatment, storage or disposal of wastes; liquid storage tanks; liquid storage areas (e.g., paint, solvents, resins); and material storage areas (e.g., blasting media, aluminum, steel, and scrap iron).

(b) Summary of Potential Pollutant Sources. The SWP3 must list the following additional sources and activities: outdoor manufacturing or processing activities (e.g., welding, metal fabricating) and significant dust or particulate generating processes (e.g., abrasive blasting, sanding, and painting).

(c) Good Housekeeping Measures. The permittee must implement the following in addition to the good housekeeping measures described in Part III, Section A.4. of this general permit:

(1) Blasting and Painting Area. Minimize the potential for spent abrasives, paint chips, and overspray to discharge into receiving waters or the storm sewer systems. When necessary, regularly clean stormwater conveyances of deposits of abrasive blasting debris and paint chips.

(2) Material Storage and Handling Areas. Minimize stormwater contamination from material storage and handling operations and areas. Store and plainly label all containerized materials (e.g., fuels, paints, solvents, waste oil, antifreeze, batteries) in a protected, secure location away from drains. If abrasive blasting is performed, discuss the storage and disposal of spent abrasive materials generated at the facility.

(3) Engine Maintenance and Repair Areas. Minimize the potential for contamination of stormwater from all areas used for engine maintenance and repair.

(4) Drydock Activities. Routinely maintain and clean the drydock to minimize pollutants in stormwater runoff. Address the cleaning of accessible areas of the

drydock prior to flooding, and final cleanup following removal of the vessel and raising the dock. Include procedures for cleaning up oil, grease, and fuel spills occurring on the drydock.

(d) Employee Training. The permittee shall include the following information, as applicable, in the employee training program: management of used oil and spent solvent, disposal of spent abrasives, disposal of vessel wastewaters, spill prevention and control, fueling procedures, general good housekeeping practices, painting and blasting procedures, and used battery management.

(e) Preventive Maintenance. As part of the preventive maintenance program, the permittee shall perform timely inspection and maintenance of stormwater management devices (e.g., cleaning oil and water separators and sediment traps to ensure that spent abrasives, paint chips, and solids will be intercepted and retained prior to entering the storm drainage system), and shall inspect and test facility equipment and systems to uncover conditions that could cause breakdowns or failures resulting in the discharge of pollutants in stormwater.

(f) Additional Inspection Requirements. Inspection procedures must be developed according to the standard periodic inspection requirements described in Part III, Section B of this general permit and conducted at least once per month in the following areas:

(1) pressure wash areas;

(2) abrasive blasting, sanding and painting areas;

(3) material storage or handling areas;

(4) engine maintenance or repair areas;

(5) drydock areas; and

(6) the general yard area.

## 6. Benchmark Monitoring Requirements

The following subsections must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values.

Benchmark sampling is only required for areas of Sector Q facilities where vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication) or equipment cleaning activities are performed.

**Table 27. Benchmark Monitoring Requirements for Subsections in Sector Q**

| SIC Code | Description of Industrial Activity | Benchmark Parameter | Benchmark Value |
|---|---|---|---|
| 4412 - 4499 | Water Transportation | Aluminum, total<br>Iron, total<br>Lead, total<br>Zinc, total<br>TSS | 1.2 mg/L<br>1.3 mg/L<br>0.010 mg/L<br>0.16 mg/L<br>50 mg/L |

## Section R. Sector R of Industrial Activity - Ship and Boat Building or Repair Yards

### 1. Description of Industrial Activity

The requirements of this section apply to stormwater discharges from activities identified and described as Sector R. Sector R industrial activities are described by the following SIC codes:

**SECTOR R: SHIP AND BOAT BUILDING OR REPAIRING YARDS**

| *SIC Codes* | *SIC Code Description* |
|---|---|
| 3731, 3732 | Ship and Boat Building or Repairing Yards |

(See Part II, Section A.1.b for a detailed list of SIC codes)

### 2. Limitations on Coverage

This permit does not authorize the discharge of process wastewater associated with a dry dock activity, bilge and ballast water, sanitary wastes, pressure wash water, or cooling water originating from vessels.

### 3. Allowable Non-Stormwater Discharge

No additional non-stormwater discharges are authorized other than those listed in Part II, Section A.6. of this general permit.

### 4. Additional SWP3 Requirements

(a) Site Map. The site map must clearly show the locations of the following activities if the activities are exposed to precipitation or runoff: fueling; engine maintenance and repair; vessel maintenance and repair; pressure washing; painting; sanding; blasting; welding; metal fabrication; loading and unloading areas; locations used for the treatment, storage or disposal of wastes; liquid storage tanks; liquid storage areas (e.g., paint, solvents, resins); and material storage areas (e.g., blasting media, aluminum, steel, and scrap iron).

(b) Summary of Potential Pollutant Sources. The SWP3 must list the following additional sources and activities: outdoor manufacturing or processing activities (e.g., welding, metal fabricating) and significant dust or particulate generating processes (e.g., abrasive blasting, sanding, and painting).

(c) Good Housekeeping Measures. The permittee must implement the following in addition to the good housekeeping measures described in Part III, Section A.4 of this general permit:

(1) Pressure Washing Area. If pressure washing is used to remove marine growth from vessels, the discharged water must be permitted as a process wastewater by a separate TPDES permit.

(2) Blasting and Painting Area. Minimize the potential for spent abrasives, paint chips, and overspray to discharge into the receiving water or the storm sewer system. When necessary, regularly clean stormwater conveyances of deposits of abrasive blasting debris and paint chips.

(3) Material Storage and Handling Areas. Minimize stormwater contamination from material storage and handling operations and areas. Store and plainly label all

containerized materials (e.g., fuels, paints, solvents, waste oil, antifreeze, batteries) in a protected, secure location away from drains. If abrasive blasting is performed, discuss the storage and disposal of spent abrasive materials generated at the facility.

(4) Engine Maintenance and Repair Areas. Minimize the potential for contamination of stormwater from all areas used for engine maintenance and repair.

(5) Drydock Activities. Routinely maintain and clean the drydock to minimize pollutants in stormwater runoff. Address the cleaning of accessible areas of the drydock prior to flooding, and final cleanup following removal of the vessel and raising the dock. Include procedures for cleaning up oil, grease, and fuel spills occurring on the drydock.

(d) Employee Training. The permittee shall include the following information, as applicable, in the employee training program: management of used oil and spent solvent, disposal of spent abrasives, disposal of vessel wastewaters, spill prevention and control, fueling procedures, general good housekeeping practices, painting and blasting procedures, and used battery management.

(e) Preventive Maintenance. As part of the preventive maintenance program, the permittee shall perform timely inspection and maintenance of stormwater management devices (e.g., cleaning oil and water separators and sediment traps to ensure that spent abrasives, paint chips, and solids will be intercepted and retained prior to entering the storm drainage system), and shall inspect and test facility equipment and systems to uncover conditions that could cause breakdowns or failures resulting in the discharge of pollutants in stormwater.

(f) Additional Inspection Requirements. Inspection procedures must be developed according to the standard periodic inspection requirements described in Part III, Section B of this general permit and conducted at least once per month in the following areas:

(1) pressure wash areas;

(2) abrasive blasting, sanding and painting areas;

(3) material storage or handling areas;

(4) engine maintenance or repair areas;

(5) drydock areas; and

(6) the general yard area.

## Section S. Sector S of Industrial Activity - Air Transportation Facilities

### 1. Description of Industrial Activity

The requirements of this general permit apply to stormwater discharges from activities identified and described as Sector S. Sector S industrial activities are described by the following SIC codes:

**SECTOR S: AIR TRANSPORTATION**

| *SIC Codes* | *SIC Code Description* |
|---|---|
| 4512 | Air Transportation, Scheduled |
| 4513 | Air Courier Services |
| 4522 | Air Transportation, Nonscheduled |
| 4581 | Airports, Flying Fields, and Airport Terminal Services, including aircraft maintenance and fueling |

(See Part II, Section A.1.b for a detailed list of SIC codes)

### 2. Covered Stormwater Discharges

(a) Permit coverage is only required for stormwater discharges from areas where the following activities are performed at facilities described by the SIC codes listed above: vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication), equipment cleaning operations, or deicing operations. Coverage for stormwater runoff from additional areas of Sector S facilities may be obtained as described in Part V, Section S.2.(b) below.

(b) Runoff from materials storage or handling areas.

(1) The permittee may obtain authorization to discharge stormwater under this general permit from additional areas of Sector S facilities where materials, intermediates, or products are stored or handled, and where the discharge from these areas would otherwise require authorization under a TPDES individual permit or alternative general permit. This permit does not authorize the discharge of any process wastewater from material storage or handling areas, including contaminated stormwater.

(2) In order to obtain coverage for any materials storage or handling areas, the permittee shall ensure that the SWP3 addresses these areas and that the SWP3 contains the following additional elements, in addition to those required in Part III of this general permit:

a. a list of the pollutants that may be present in the material and exposed to precipitation or runoff;

b. an indication on the site map of all material storage and handling areas that are being included under the MSGP authorization; and

c. description and implementation of BMPs that specifically address the material that is exposed to rainfall or runoff.

(3) This section does not expand the definition of stormwater associated with industrial activity. If runoff from the materials storage and handling areas are not

subject to TPDES wastewater permitting, then the SWP3 is not required to address these areas.

### 3. Definitions

The following definitions apply only to Sector S of this general permit:

**Aircraft Deicing Fluid. (ADF)** A fluid (other than hot water) applied to aircraft to remove or prevent any accumulation of snow or ice on the aircraft. This includes deicing and anti-icing fluids.

**Centralized Deicing Pad.** A facility on an airfield designed for aircraft deicing operations, typically constructed with a drainage system separate from the airport main storm drain system.

**Deicing.** Procedures and practices to remove or prevent any accumulation of snow or ice on an aircraft or airfield pavement.

**Heating Degree Day**. The number of degrees per day the daily average temperature is below 65 degrees Fahrenheit. The daily average temperature is the mean of the maximum and minimum temperature for a 24-hour period. The annual heating degree day value is derived by summing the daily heating degree days over a calendar year period.

**Primary Airport**. An airport defined at 49 U.S.C. 47102 (15).

### 4. Limitations on Permit Coverage

(a) This permit only authorizes stormwater discharges from those portions of a Sector S facility that are involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication), equipment cleaning operations, or deicing operations.

(b) Prohibition of Non-Stormwater Discharges. This general permit does not authorize the discharge of wastewater associated with washing aircraft, ground vehicles, runways, or equipment; or the dry weather discharge of deicing chemicals. If these discharges occur, they must be authorized under an alternative TPDES or permit or disposed by another authorized means, and the disposal mechanism described in the SWP3.

(c) A discharge resulting from snowmelt is not a dry weather discharge.

### 5. Additional SWP3 Requirements

(a) Site Map. The site map must include the following information:

(1) aircraft and runway deicing operations;

(2) fueling stations;

(3) aircraft, ground vehicle and equipment maintenance/cleaning areas;

(4) storage areas for aircraft, ground vehicles and equipment awaiting maintenance; and

(5) the location of each tenant at the site that conducts industrial activity subject to coverage under this section of this general permit.

(b) Potential Pollutant Sources.

(1) The SWP3 must list the following additional sources and activities: maintenance and cleaning of aircraft, runways, ground vehicles, and equipment; and deicing of

aircraft and runways (including apron and centralized aircraft deicing stations, runways, taxiways and ramps).

(2) The SWP3 must include a record of the types and monthly quantities of deicing chemicals that the permittee uses (including the Material Safety Data Sheets MSDS) used and the monthly quantities. This requirement applies for all deicing chemicals, in addition to glycols and urea (e.g., potassium acetate). If the airport authority, tenants, and other Fixed-Based Operators (FBOs) share an SWP3, then the tenants and FBOs that conduct deicing operations must provide the above information to the airport authority.

(c) Good Housekeeping Measures. This section of the SWP3 must describe specific measures where determined to be practicable and that accommodate considerations of safety, space, operational constraints, and flight considerations (list not exclusive), to prevent or minimize contamination of stormwater from areas used for the maintenance, fueling, or cleaning of equipment, aircraft, and other vehicles, and for areas where aircraft deicing and anti-icing activities occur. The following requirements must be addressed in the SWP3 and are in addition to the requirements of Part III, Sections A.4. and A.5. of this general permit:

(1) Aircraft, Ground Vehicle and Equipment Maintenance Areas. Minimize the potential for stormwater contamination from areas used for the maintenance of aircraft, ground vehicles, and equipment (including the maintenance conducted on the terminal apron and in dedicated hangers).

(2) Aircraft, Ground Vehicle and Equipment Cleaning Areas. Clearly demarcate aircraft, ground vehicle and equipment cleaning areas on the ground using signage or other appropriate means. Minimize the potential for contamination of stormwater runoff from these areas.

(3) Aircraft, Ground Vehicle and Equipment Storage Areas. Store all aircraft, ground vehicles and equipment awaiting maintenance in designated areas only. Minimize the potential for contamination of stormwater runoff from these storage areas.

(4) Material Storage Areas. Minimize the potential for stormwater contamination from materials storage areas. Maintain in good condition and plainly label any containers of stored materials (e.g., used oils, hydraulic fluids, spent solvents, and waste aircraft fuel).

(5) Source Reduction. Minimize, and where feasible eliminate, the use of urea and glycol-based deicing chemicals, in order to reduce the aggregate amount of deicing chemicals used or lessen the environmental impact.

(6) Runway Deicing Operation. Minimize the potential for stormwater contamination from runways as a result of deicing operations by evaluating and adjusting as necessary the application rates of deicing materials, consistent with considerations of flight safety.

(7) Aircraft Deicing Operations. The permittee shall evaluate the application rates for deicing chemicals, and adjust as necessary, consistent with considerations of flight safety, to help minimize contamination of stormwater runoff from aircraft deicing operations.

(8) Deicing Season. Identify the de-icing season by determining the seasonal timeframe (e.g., December- February, October - March) during which deicing activities typically occur at the facility. Implementation of control measures, including any BMPs, facility inspections and monitoring must be conducted with

particular emphasis throughout the defined deicing season. If the deicing chemical usage thresholds of 100,000 gallons glycol or 100 tons of urea are met, the identified deicing season is the timeframe during which the required benchmark monitoring must be conducted. (See the benchmark monitoring requirements for this sector, below.)

(d) Structural Controls. Operators that conduct deicing or anti-icing activities shall select controls, where determined to be practicable and that accommodate considerations of safety, space, operational constraints, and flight considerations (list not exclusive), to capture and contain chemicals used in this activity. Containing activities to specific areas where runoff may be captured and either treated, hauled away for disposal or disposed of to the sanitary sewer must be considered, where determined to be practicable and that accommodate considerations of safety, space, operational constraints, and flight considerations (list not exclusive), A narrative description of these considerations, including a rationale for why certain alternatives were either chosen or rejected, must be incorporated as an element of the SWP3.

(e) Shared SWP3s. Airport authorities and airport tenants are encouraged to work in partnership to develop and implement a SWP3. Tenants of the airport facility include air passenger or cargo companies, fixed based operators, and other parties who have contracts with the airport authority to conduct business operations on airport property and whose operations result in stormwater discharges associated with industrial activity. Even with a shared SWP3, each entity at an airport that meets the applicability requirements of this permit is required to obtain permit coverage.

(f) Best Management Practices. Facilities that conduct deicing or anti-icing operations must evaluate operating procedures on an annual basis to consider alternative practices, where determined to be practicable and that accommodate considerations of safety, space, operational constraints, and flight considerations (list not exclusive), that may reduce the overall amount of chemical used, or otherwise lessen the environmental impact of the pollutant. This annual review must include a consideration of alternative chemicals for this use. The SWP3 must include a narrative discussion of the annual alternative practices review that includes the rationale for changes in practices or the decision to retain existing practices. BMPs must be developed and implemented to ensure against over application of chemicals used as a part of deicing and anti-icing operations.

(g) Additional Inspection Requirements.

(1) Routine Facility Inspections. Inspection procedures must be developed according to the standard periodic inspection requirements described in Part III, Section B.2. of this general permit and conducted at least once per week during deicing or anti-icing activities in the areas where these operations take place, if accessible. Records of weekly inspections, when they occur, must be maintained.

(2) Comprehensive Site Inspections. Conduct the annual site inspection using only qualified personnel, during periods of actual deicing operations, if possible. If not practicable during active deicing because of weather, conduct the inspection during the season when deicing operations occur and the materials and equipment for deicing are in place.

## 6. Numeric Effluent Limitations

The following numeric effluent limitations, based upon guidelines from Airport Deicing Point Source Category, 40 CFR Part 449, apply to any stormwater runoff from airport and

airfield deicing activities at primary airports. The limitiations must be met at the location where the effluent leaves the onsite treatment system utilized for meeting these requirements and before commingling with any non-deicing discharges.

(a) For new and existing primary airports with 1,000 or more jet departures per year, the following requirements apply:

(1) Airfield Pavement Deicing. The discharge from airfield pavement deicers containing urea is not allowed. This requirement must be met by either:

a. Certifying annually that the airfield deicing products do not contain urea; or

b. Each discharge point must be monitored and meet the following numeric effluent limitations:

**Table 28. Numeric Effluent Limitations for New and Existing Sector S Facilities with Airfield Deicing**

| Industrial Activity | Parameter | Daily Maximum[1] |
|---|---|---|
| Airfield Pavement Deicing | Ammonia- Nitrogen | 14.7 mg/L |

[1]Sample Frequency: Once per day during deicing activities
[1]Sample Type: Grab

(2) Aircraft Deicing.

a. Existing Airports: There are no requirements for existing airports regardless of number of jet (non-propeller aircraft) departures per year.

b. New Airports with less than 1,000 jet (non-propeller aircraft) departures per year: There are no requirements.

c. New primary airports with 1,000 and more jet (non-propeller aircraft) departures per year, 10,000 or more departures annually, and 3,000 or more heating degree days (annual), have the following requirements:

(i) At least 60% of available aircraft deicing fluid (ADF) must be collected; and

(ii) The discharge must meet the numeric effluent limitations below. The effluent limitation must be met at the location where the effluent leaves the onsite treatment system utilized for meeting these requirements and before commingling with any non-deicing discharges.

**Table 29. Numeric Effluent Limitations for new Sector S Facilities with Aircraft Deicing**

| Industrial Activity | Parameter | Daily Maximum[1] | Weekly Average |
|---|---|---|---|
| Aircraft Deicing | COD | 271 mg/L | 154 mg/L |

[1]Sample Frequency: Once per day during deicing activities
[1]Sample Type: See 40 CFR Part 449, Appendix A Sampling Protocol for Soluble COD

(b) General Requirements for the Implementation of Numeric Effluent Limitations Established in Section S. (6)(a) above.

The permittee shall demonstrate compliance with the ADF collection, reporting, and record keeping requirements described in Part V. Section S.6.(a) above.

(1) The permittee shall maintain records to demonstrate, and certify annually, that it is operating and maintaining one or more centralized deicing pads. This technology shall be operated and maintained according to the technical specifications as follows:

a. Each centralized deicing pad shall be sized and sited in accordance with all applicable Federal Aviation Administration (FAA) advisory circulars.

b. Drainage valves associated with the centralized deicing pad shall be activated before deicing activities commence, to collect available ADF.

c. The centralized deicing pad and associated collection equipment shall be installed and maintained per any applicable manufacturers' instructions, and shall be inspected, at a minimum, at the beginning of each deicing season to ensure that the pad and associated equipment are in working condition.

d. All aircraft deicing shall take place on a centralized deicing pad, with the exception of defrosting and deicing for safe taxiing.

(2) Alternative technology or specifications. This general permit may allow one of the following alternative procedures for demonstrating compliance with its collection requirement, instead of the procedure mentioned above in Part V. Section S.6.(b)(1)(a-d) of the section above.

a. Using a different ADF collection technology from the centralized deicing pad technology specified in Part V. Section S.6.(b)(1)(a-d) of this section; or

b. Using the same ADF collection technology, but with different specifications for operation and/or maintenance.

(3) The permittee shall collect and maintain on site during the term of the permit, up to five years of records of the annual volume of ADF used.

(c) Monitoring and Sampling

Monitoring and sampling for COD and Ammonia shall be conducted at a location where the effluent leaves the on-site treatment system and prior to commingling with non-deicing wastestreams.

(d) Recordkeeping

The permittee shall maintain onsite records for five years of the following documentation:

a. Wastewater samples collected and analyzed;

b. Certifications;

c. Equipment maintenance schedules and agreement; and

d. If using volumes of ADF applied/collected, records of these amounts.

(e) Additional SWP3 Requirements.

The following SWP3 requirements must be conducted in addition to those listed in Part V. S.5. Permittees shall document and describe the following:

a. Number of jet departures and deicing operations at the airport.

b. Type of deicing chemicals used and keep deicing activity log.

c. Method of ADF collection.

d. Compliance with 60% ADF collection requirements, as applicable.

e. Monitoring and frequencies of sampling.

## 7. Benchmark Monitoring Requirements

(a) Benchmark monitoring is only required for permittees conducting deicing activities that have used more than 100 tons of urea, or more than 100,000 gallons of glycol-based chemicals on an average annual basis. These volumes of deicing materials refer to the combined activities and usage at the airport as a whole, and not independently to each carrier or operator.

(1) Benchmark monitoring is required of all permittees who used urea or glycol-based deicing chemicals at an airport where the total amount used at the airport meets the criteria listed in this section. Benchmark sampling is not required of a permittee who does not use the listed chemicals, even if the airport did meet the volume criteria that trigger benchmark monitoring.

(2) Benchmark sampling is required at all outfalls that discharge runoff from areas where deicing with urea or glycol-based deicing chemicals is performed at an airport where the total amount used at the airport as a whole meets the criteria listed above.

(3) For those permittees required to conduct benchmark monitoring, the total number of benchmark samples required for the year must be collected during the deicing season when deicing activities are occurring.

(b) The following subsector must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

**Table 30. Benchmark Monitoring Requirements for Subsections in Sector S**

| SIC Code | Description of Industrial Activity | Benchmark Parameter | Benchmark Value |
|---|---|---|---|
| 4512 - 4581 | Airport Transportation Facilities with Deicing Activities* | COD<br>Ammonia-Nitrogen<br>pH | 60 mg/L<br>1.7 mg/L<br>6.0-9.0 S.U. |

*For airports where a single permittee, or a combination of permitted facilities use more than 100,000 gallons of pure glycol in glycol-based deicing fluids and / or 100 tons or more of urea on an average annual basis.

## Section T. Sector T of Industrial Activity - Treatment Works

### 1. Description of Industrial Activity

The requirements of this general permit apply to stormwater discharges from activities identified and described as Sector T. Sector T industrial activities are described by the following Industrial Activity Code:

**SECTOR T: TREATMENT WORKS**

*Activity Codes and SIC Code Description*

TW Certain Wastewater Treatment Plants

### 2. Covered Stormwater Discharges

The requirements of this general permit apply to stormwater discharges from domestic wastewater treatment plants with a design flow of 1.0 million gallons per day or more that treat, store, recycle, or reclaim domestic sewage, wastewater or sewage sludge (including dedicated lands for sewage sludge disposal located within the onsite property boundaries); or that are required to have an approved pretreatment program (under 40 CFR Part 403).

### 3. Limitations on Permit Coverage

(a) Prohibition of Wastewater Discharges. The discharge of sanitary wastewater, industrial wastewater, equipment and vehicle wash water, or other wastewater is not authorized by this permit.

(b) Discharge to Wastewater Plant Headworks. Facilities that route all stormwater runoff to the wastewater treatment facility headworks in accordance with an individual TPDES permit are not required to obtain additional coverage through this general permit.

### 4. Additional SWP3 Requirements

The following SWP3 requirements must be conducted in addition to those listed in Part III of this general permit:

(a) Employee Training. At a minimum, training must address the following areas when applicable to a facility: petroleum product management; process chemical management; spill prevention and controls; fueling procedures; general good housekeeping practices; and proper procedures for using fertilizer, herbicides, and pesticides. These requirements are in addition to the training requirements listed in Part III, Section A.4.(f) of this permit.

(b) Site Map. The permittee shall document in the SWP3 where any of the following may be exposed to precipitation or surface runoff: grit, screenings, and other solids handling, storage, or disposal areas; sludge drying beds; dried sludge piles; compost piles; septage or hauled waste receiving station; and storage areas for process chemicals, petroleum products, solvents, fertilizers, herbicides, and pesticides.

(c) Potential Pollutant Sources. The permittee shall document in the SWP3 the following additional sources and activities that have potential pollutants associated with them, if present at the site: grit, screenings, and other solids handling, storage, or disposal areas; sludge drying beds; dried sludge piles; compost piles; septage or hauled waste receiving station; and access roads and rail lines.

(d) Wastewater and Wash Water Requirements. The permittee shall either retain a copy, or reference the location where a copy is located, of all current TPDES permits issued for wastewater and industrial, vehicle and equipment wash water discharges for the facility in the SWP3. If a TPDES permit has not yet been issued, a copy of the pending application(s) must also be kept or referenced in the SWP3. If the wastewater or wash water is handled in another manner, then the SWP3 must describe the disposal method and all pertinent documentation must be retained onsite.

(e) Additional Inspection Requirements. In addition to the information that must be included in the inspections required in Part III of this permit, the following areas must be inspected as well: access roads and rail lines; grit, screenings, and other solids handling, storage, or disposal areas; sludge drying beds; dried sludge piles; compost piles; and septage or hauled waste receiving station.

### 5. Benchmark Monitoring Requirements

The following subsections must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

**Table 31. Benchmark Monitoring Requirements in Subsections in Sector T**

| Activity Code | Description of Industrial Activity | Benchmark Parameter | Benchmark Value |
|---|---|---|---|
| TW | Certain Wastewater Treatment Plants | BOD5 | 15 mg/L |

## Section U. Sector U of Industrial Activity - Food and Kindred Products Facilities

### 1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector U. Sector U industrial activities are described by the following SIC codes:

**SECTOR U: FOOD AND KINDRED PRODUCTS FACILITIES**

*SIC Codes* *SIC Code Description*

2011 – 2015 Meat Products

2021 – 2026 Dairy Products

2032 - 2038 Canned, Frozen and Preserved Fruits, Vegetables and Food Specialties

2041 - 2048 Grain Mill Products

2051 - 2053 Bakery Products

2061 - 2068 Sugar and Confectionery Products

2074 - 2079 Fats and Oils

2082 - 2087 Beverages

2091 - 2099 Miscellaneous Food Preparations and Kindred Products

2111 - 2141 Tobacco Products

(See Part II, Section A.1.b for a detailed list of SIC codes)

## 2. Limitations on Coverage

Prohibition of Wastewater Discharges. The following discharges are not authorized by this permit: boiler blowdown, cooling tower overflow and blowdown, ammonia refrigeration purging, and vehicle washing and clean-out operations.

## 3. Additional SWP3 Requirements

Employee Training Program and Employee Education. The program must include training in pest control application procedures and chemical storage procedures.

Inventory of Exposed Materials. The inventory must include a list of the pesticides, rodenticides, herbicides, and fungicides applied or stored on the facility property.

Narrative Description. A narrative description of all activities and potential sources of pollutants that may reasonably be expected to add significant amounts of pollutants to stormwater discharges from pest control and chemical storage procedures must be included.

Site Map. The site map must clearly show the location of vent stacks for cooking, drying, and similar operations, dry product vacuum transfer lines; animal holding pens; spoiled product and broken product container storage areas; and any other processing or storage areas exposed to stormwater.

Best Management Practices. This section of the SWP3 must include BMPs for cleaning procedures for vent hoods, storage and baking racks, bins and refuse containers, and other similar cleaning activities, to ensure that cleaning these items does not contribute pollutants to stormwater runoff.

## 4. Benchmark Monitoring Requirements

The following subsections must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

**Table 32. Benchmark Monitoring Requirements in Subsections in Sector U**

| SIC Code | Description of Industrial Activity | Benchmark Parameter | Benchmark Value |
|---|---|---|---|
| 2041-2048 | Grain Mill Products | TSS | 50 mg/L |
| 2074-2079 | Fats and Oils | COD<br>Nitrate + Nitrite N<br>TSS | 60 mg/L<br>0.68 mg/L<br>50 mg/L |

## Section V. Sector V of Industrial Activity - Textile Mills, Apparel, and Other Fabric Product Manufacturing Facilities

### 1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector V. Sector V industrial activities are described by the following SIC codes:

**SECTOR V: TEXTILE MILLS, APPAREL, AND OTHER FABRIC PRODUCT MANUFACTURING FACILITIES**

| *SIC Codes* | *Description of the Industrial Activity* |
|---|---|
| 2211 – 2299 | Textile Mill Products |
| 2311 – 2399 | Apparel and Other Finished Products Made From Fabrics and Similar Materials |
| 3131 – 3199 | Leather and Leather Products, except Leather Tanning and Finishing (See Sector Z) |

(See Part II, Section A.1.b for a detailed list of SIC codes)

### 2. Limitations on Coverage

Prohibition of Wastewater Discharges. The following discharges are not allowed under this general permit: wastewater resulting from wet processing or from any processes relating to the production; reused or recycled water; and waters used in cooling towers. These types of discharges must be authorized under a separate TPDES permit or other authorized means.

### 3. Additional SWP3 Requirements

(a) The permittee shall minimize the discharge of pollutants from the following areas:

(1) Material handling areas. The permittee shall plainly label and store all containerized materials (e.g., fuels, petroleum products, solvents, and dyes) in a protected area and away from drains, and shall minimize the potential for stormwater to contact such storage areas. When storing empty chemical drums or containers, the permittee shall ensure that the drums and containers are clean and that there is no contact of residuals with precipitation or runoff, and shall properly collect and dispose of wash water from drum and container cleanings.

(2) Material storage areas

(3) Fueling areas.

(4) Above-Ground Storage Tank areas, including the associated piping and valves.

(b) Employee Training. Employee training must include the following activities, as applicable:

(1) use of reused and recycled waters;

(2) solvents management, proper disposal of dyes;

(3) spill prevention and control;

(4) fueling procedures; and

(5) management and proper disposal of any solvents, petroleum products, spent lubricants, dyes, and other chemicals used at the facility.

(c) Narrative Description. The SWP3 must include a narrative description of all activities and potential sources of pollutants that may reasonably be expected to add significant amounts of pollutants to stormwater discharges from industry specific activities in the SWP3 and including the following: backwinding; beaming; bleaching; backing; bonding carbonizing; carding; cut and sew operations; desizing; drawing; dyeing; flocking; fulling; knitting; mercerizing; opening; packing; plying; scouring; slashing; spinning; synthetic-felt processing; textile waste processing; tufting; turning; weaving; web forming; winging; yarn spinning; and yarn texturing.

(d) Spill Prevention and Response Measures. The SWP3 must include measures to inspect, evaluate, and replace connections, valves, transfer lines and pipes that carry chemicals, dyes, or waste. All chemicals must be stored in a protected area, away from drains, and clearly labeled.

(e) The SWP3 must include specific measures to prevent or minimize contamination of stormwater runoff from above ground storage tank areas.

(f) Routine Facility Inspections. Inspection procedures must be developed according to the standard periodic inspection requirements described in Part III, Section B.2. of this general permit, but must be conducted at least once per month in material storage areas, material transfer lines and areas, spill prevention, good housekeeping practices, management of process waste products, and all structural and non-structural management practices.

## Section W. Sector W of Industrial Activity - Wood and Metal Furniture and Fixture Manufacturing Facilities

### 1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector W. There are no additional requirements under this section that apply to stormwater discharges from activities identified and described as Sector W. Sector W industrial activities are described by the following SIC codes:

**SECTOR W: FURNITURE AND FIXTURES**

| *SIC Codes* | *SIC Code Description* |
|---|---|
| 2434 | Wood Kitchen Cabinets |
| 2511 – 2599 | Furniture and Fixtures |

(See Part II, Section A.1.b for a detailed list of SIC codes)

## Section X. Sector X of Industrial Activity - Printing and Publishing Facilities

### 1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector X. Sector X industrial activities are described by the following SIC codes:

**SECTOR X: PRINTING AND PUBLISHING**

| *SIC Codes* | *SIC Code Description* |
|---|---|
| 2711 – 2796 | Printing, Publishing, and Allied Industries |

(See Part II, Section A.1.b for a detailed list of SIC codes)

### 2. Covered Stormwater Discharges

Facilities described by any of the SIC codes listed above, that conduct publishing or designing activities without printing, are designated for coverage under this general permit and are not required to submit an NOI for coverage nor an NEC for a no exposure exclusion. These facilities must comply with the following permit requirements and are not subject to additional requirements that are listed in this permit:

(a) The facility must maintain conditions that ensure there is no exposure of industrial activities to stormwater; and

(b) The facility operator must comply with the requirements of Part III, Section E. of this general permit, related to Standard Permit Conditions, except that the operator is not required to submit an NOI or NEC form, prepare a SWP3, or conduct analytical monitoring.

The facility operator must apply for coverage if either of the requirements listed above are not met. If the TCEQ determines that additional controls are required other than those listed above, or if there is a concern regarding the discharge of elevated levels of pollutants, then the TCEQ may require a facility described by SIC codes 2711 – 2796 and that does not have any printing activities to obtain coverage and meet all permit conditions through submittal of an NOI or an individual permit application.

### 3. Additional SWP3 Requirements

(a) Spill Prevention and Response Measures.

(1) The spill prevention and response measures section of the SWP3 must include measures to inspect, evaluate, and replace connections, valves, transfer lines, and pipes that carry chemicals or wastes.

(2) All chemicals (e.g. fuels, solvents, dyes, inks) must be stored in a protected area, away from drains, and clearly labeled.

(3) The SWP3 must include specific measures to prevent or minimize contamination of stormwater runoff from above ground storage tank areas and fueling areas.

(b) Material Storage Areas. The permittee shall minimize the discharge of pollutants from storage areas for containerized materials (e.g., skids, pallets, solvents, bulk inks, hazardous waste, empty drums, portable and mobile containers of plant debris, wood crates, steel racks, and fuel oil). These materials must be plainly labeled and stored in a protected area, away from drains.

(c) The SWP3 must include a narrative description of all activities and potential sources of pollutants that may reasonably be expected to add significant amounts of pollutants to stormwater discharges from industry specific activities, including blanket wash and solvent mixing operations in the SWP3 as well as the containment area(s) or enclosures for materials that are stored outdoors.

(d) Material Handling Area. Minimize contamination of stormwater runoff from material handling operations and areas (e.g., blanket wash, mixing solvents, loading and unloading materials). Consider the following (or their equivalents): using spill and overflow protection, covering fueling areas, and covering or enclosing areas where the transfer of materials may occur. When applicable, address the replacement or repair of leaking connections, valves, transfer lines, and pipes that may carry chemicals or wastewater.

(e) Employee Training. The program must include training in the management and disposal of any solvents, other petroleum products, dyes, other chemicals used at the facility, and general good housekeeping practices. These requirements are in addition to the SWP3 requirements in Part III, Section A.4 of this permit.

## Section Y. Sector Y of Industrial Activity - Rubber and Miscellaneous Plastic Products, and Miscellaneous Manufacturing Facilities

### 1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector Y. Sector Y industrial activities are described by the following SIC codes:

**SECTOR Y: RUBBER, MISCELLANEOUS PLASTIC PRODUCTS, AND MISCELLANEOUS MANUFACTURING FACILITIES**

| *SIC Codes* | *SIC Code Description* |
|---|---|
| 3011 | Tires and Inner Tubes |
| 3021 | Rubber and Plastics Footwear |
| 3052, 3053 | Gaskets, Packing, and Sealing Devices and Rubber and Plastics Hose and Belting |
| 3061, 3069 | Fabricated Rubber Products, Not Elsewhere Classified |
| 3081 – 3089 | Miscellaneous Plastics Products |
| 3931 | Musical Instruments |
| 3942 – 3949 | Dolls, Toys, Games and Sporting and Athletic Goods |
| 3951 – 3955, | except 3952 (see Sector C) - Pens, Pencils, and Other Artists' Materials (except certain inks and paints as specified in Sector C) |
| 3961, 3965 | Costume Jewelry, Costume Novelties, Buttons, and Miscellaneous Notions, Except Precious Metal |
| 3991 – 3999 | Miscellaneous Manufacturing Industries |

(See Part II, Section A.1.b for a detailed list of SIC codes)

**2. Additional SWP3 Requirements**

(a) Narrative Description. The SWP3 must include a narrative description that includes a review of the use of any zinc at the facility and possible pathways where zinc could contaminate stormwater runoff.

(b) Good Housekeeping Measures. This section of the SWP3 must include specific measures to minimize potential exposure of pollutants to stormwater. The permittee shall implement BMPs for the control of pollutants at rubber, miscellaneous plastic products, and miscellaneous manufacturing facilities, to prevent the discharge of pollutants in stormwater. Pollutant sources that need to be addressed include activities such as: outdoor material unloading/loading, outdoor material storage, waste management, particulate emission management, material storage, dumpsters, dust collectors or baghouses, grinding operations, zinc stearate coating operations, management, education and training, equipment and facilities, operations, good housekeeping, packaging, shipping, recycling, and waste disposal.

(1) Rubber Manufacturing: The operator of a rubber manufacturing facility shall minimize or prevent the discharge of zinc in stormwater runoff. All rubber manufacturing facilities must include specific BMPs and controls to minimize the contamination of stormwater from the handling and storage of zinc. Potential sources of zinc must be identified and the accompanying BMPs must be evaluated and incorporated into the SWP3 and implemented at the facility (as appropriate);

a. zinc bags must be stored indoors;

b. the permittee shall ensure headspace in containers to minimize “puffing” losses when the containers are opened;

c. where feasible, the permittee shall ensure that there is no exposure of waste disposal dumpsters to stormwater (e.g., store indoors or provide a cover and liner for the dumpster);

d. repair or replace improperly operating dust collectors and baghouses, as appropriate;

e. minimize dust generation from rubber grinding operations;

f. reduce the possible contamination of stormwater by drips and spills of zinc stearate slurry; and

g. identify specific measures for zinc spill cleanup so that the cleanup may be completed without washing the spill into the storm drain.

(2) Plastics Manufacturing: The operator of a plastic products manufacturing facility shall prevent the possibility of discharging plastic materials, including at a minimum virgin and recycled plastic resin pellets, powders, flakes, powdered additives, regrind, scrap, waste, and recycling material, in stormwater discharges from the facility by implementing control measures (or their equivalents). The control measures must include: minimizing spills, cleaning up of spills promptly and thoroughly, sweeping and/or vacuuming thoroughly, capturing pellets, implementing a containment system, designed to trap particles retained, at each on-site storm drain discharge location down gradient of areas containing plastic materials, employee education and training, and using precautions for proper disposal.

### 3. Benchmark Monitoring Requirements

The following subsections must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

**Table 33. Benchmark Monitoring Requirements for Subsections in Sector Y**

| SIC Code | Description of Industrial Activity | Benchmark Parameter | Benchmark Value |
|---|---|---|---|
| 3011 | Tires and Inner Tubes | Zinc, total | 0.16 mg/L |
| 3021 | Rubber and Plastics Footwear | Zinc, total | 0.16 mg/L |
| 3052, 3053 | Gaskets, Packing, and Sealing Devices; and Rubber and Plastics Hose and Belting | Zinc, total | 0.16 mg/L |
| 3061 | Molded, Extruded, and Lathe-Cut Mechanical Rubber Goods | Zinc, total | 0.16 mg/L |
| 3069 | Fabricated Rubber Products, Not Elsewhere Classified | Zinc, total | 0.16 mg/L |

## Section Z. Sector Z of Industrial Activity - Leather Tanning and Finishing Facilities

### 1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector Z. Sector Z industrial activities are described by the following SIC codes:

**SECTOR Z: LEATHER TANNING AND FINISHING**

*SIC Codes* *SIC Code Description*

3111 Leather Tanning and Finishing

(See Part II, Section A.1.b for a detailed list of SIC codes)

### 2. Additional SWP3 Requirements

(a) Drainage Area Site Map. The drainage area site map must clearly show the location of the following activities, if these activities are exposed to stormwater: processing and storage areas of the beam house, tan yard and re-tan wet and dry finishing operations; haul roads; access roads; and rail spurs.

(b) Potential Pollutant Sources. Document the following sources and activities that have potential pollutants associated with them in the SWP3 (as appropriate): temporary or permanent storage of fresh and brine-cured hides; extraneous hide substances and hair; leather dust, scraps, trimmings, and shavings.

(c) Good Housekeeping Measures. The following requirements are in addition to the requirements in Part III, Section A.4. of this general permit, related to Pollution Prevention Measures and Controls. The permittee shall minimize the contact of

stormwater from the following areas or materials, in order to reduce the potential to discharge contaminated stormwater:

(1) Storage areas for raw, semi-processed, or finished tannery by-products, including pallets and bales of raw, semi-processed or finished tannery by-products.

(2) Buffing and shaving areas.

(3) Receiving, unloading, and storage areas, if these areas are exposed.

(4) Outdoor storage of contaminated equipment.

(5) Waste Management Areas.

(d) Labeling. The permittee shall also label storage containers of all materials (e.g., specific chemicals, hazardous materials, spent solvents, waste materials).

## Section AA. Sector AA of Industrial Activity - Fabricated Metal Products Facilities

### 1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector AA. Sector AA industrial activities are described by the following SIC codes:

**SECTOR AA: FABRICATED METAL PRODUCTS FACILITIES**

| *SIC Code* | *SIC Code Description* |
|---|---|
| 3411 – 3499 | Fabricated Metal Products, Except Machinery and Transportation Equipment |
| 3911 – 3915 | Jewelry, Silverware, and Plated Ware |

(See Part II, Section A.1.b for a detailed list of SIC codes)

### 2. Pollution Prevention Measures and Controls

The following requirements are in addition to the requirements listed in Part III of this general permit.

(a) Good Housekeeping Measures. In addition to the Pollution Prevention Measures and Controls SWP3 requirements in Part III, Section A.4. of this general permit, the permittee must implement the following control measures, and must document in the SWP3 the measures being used for each measure. This section of the SWP3 must also define practices to prevent or minimize exposure of stormwater to metal fines and iron dust, solvents and paints, and also from sand where sandblasting operations are conducted.

(1) Raw Steel Handling Storage. Minimize the generation of or recover and properly manage scrap metals, fines, and iron dust. Include measures for containing materials within storage handling areas.

(2) Paints and Painting Equipment. Minimize exposure of paint and painting equipment to stormwater.

(b) Spill Prevention and Response Procedures. Ensure that the necessary equipment to implement a cleanup is available to personnel by addressing the following areas:

(1) Metal Fabricating Areas. Maintain clean, dry, orderly conditions in these areas.

(2) Storage Areas for Raw Metal. Keep these areas free of conditions that could cause, or impede appropriate and timely response to, spills or leakage of materials.

(3) Metal Working Fluid Storage Areas. Minimize the potential for stormwater contamination from storage areas for metal working fluids.

(4) Cleaners and Rinse Water. Control and clean up spills of solvents and other liquid cleaners, control sand buildup and disbursement from sand-blasting operations, and prevent exposure of recyclable wastes. Substitute environmentally benign cleaners when possible.

(5) Lubricating Oil and Hydraulic Fluid Operations. Minimize the potential for stormwater contamination from lubricating oil and hydraulic fluid operations. Consider using monitoring equipment or other devices to detect and control leaks and overflows. Consider installing perimeter controls such as dikes, curbs, grass filter strips, or equivalent measures.

(6) Chemical Storage Areas. Minimize stormwater contamination and accidental spillage in chemical storage areas. Include a program to inspect containers and identify proper disposal methods.

(c) Additional SWP3 Requirements

(1) Site Map. Document in the SWP3 where any of the following may be exposed to stormwater: raw metal storage areas; finished metal storage areas; scrap disposal collection sites; equipment storage areas; retention and detention basins; temporary and permanent diversion dikes or berms; right-of-way or perimeter diversion devices; sediment traps and barriers; processing areas, including outside painting areas; wood preparation; recycling; and raw material storage.

(2) Potential Pollutant Sources. Document in the SWP3 the following additional sources and activities that have potential pollutants associated with them: loading and unloading operations for paints, chemicals, and raw materials; outdoor storage activities for raw materials, paints, empty containers, corn cobs, chemicals, and scrap metals; outdoor manufacturing or processing activities such as grinding, cutting, degreasing, buffing, and brazing; onsite waste disposal practices for spent solvents, sludge, pickling baths, shavings, ingot pieces, and refuse and waste piles.

(d) Additional Inspection Requirements

(1) Inspection procedures must be developed according to the standard periodic inspection requirements described in Part III, Section B. of this general permit and conducted at least once per quarter in the following areas:

a. raw metal storage areas;

b. finished product storage areas;

c. material and chemical storage areas;

d. recycling areas;

e. loading and unloading areas;

f. equipment storage areas;

g. paint areas; and

h. vehicle fueling and maintenance areas.

(2) Comprehensive Site Inspections. As part of the annual comprehensive site compliance evaluation in Part III, Section B.5., the permittee must inspect areas associated with the storage of raw metals, spent solvents and chemicals storage areas, outdoor paint areas, and drainage from roof. Potential pollutants include chromium, zinc, lubricating oil, solvents, aluminum, oil and grease, methyl ethyl ketone, steel, and related materials.

### 3. Benchmark Monitoring Requirements

The following subsections must conduct benchmark monitoring according to the requirements in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

**Table 34. Benchmark Monitoring Requirements for Subsections in Sector AA**

| SIC Code | Description of Industrial Activity | Benchmark Parameter | Benchmark Value |
|---|---|---|---|
| 3411-3499<br>3911-3915 | Fabricated Metal Products Except Coating | Aluminum, total<br>Iron, total<br>Zinc, total<br>Nitrate + Nitrite N<br>TSS | 1.2 mg/L<br>1.3 mg/L<br>0.16 mg/L<br>0.68 mg/L<br>50 mg/L |
| 3479 | Fabricated Metal Coating and Engraving | Zinc, total<br>Nitrate + Nitrite N | 0.16 mg/L<br>0.68 mg/L |

## Section AB. Sector AB of Industrial Activity - Transportation Equipment and Industrial or Commercial Machinery Manufacturing Facilities

### 1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector AB. Sector AB industrial activities are described by the following SIC codes:

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

*SIC Codes* *Description of the Industrial Activity*

3511 – 3599, except 3571 – 3579 (see Sector AC) - Industrial and Commercial Machinery, except Computer and Office Equipment (see Sector AC)

3711 – 3799, except 3731, 3732 (see Sector R) - Transportation Equipment, except Ship and Boat Building and Repairing (see Sector R)

(See Part II, Section A.1.b for a detailed list of SIC codes)

### 2. Additional SWP3 Requirements

Drainage Area Site Map. The site map must clearly show the location of vents and stacks from metal processing and similar areas.

## Section AC. Sector AC of Industrial Activity – Electronic and Electrical Equipment/ Components, and Photographic/ Optical Goods Manufacturing Facilities

### 1. Description of Industrial Activity

There are no additional requirements under this section that apply to stormwater discharges from activities identified and described as Sector AC. Sector AC industrial activities are described by the following SIC codes:

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

| *SIC Codes* | *Description of the Industrial Activity* |
|---|---|
| 3571 – 3579 | Computer and Office Equipment |
| 3612 – 3699 | Electronic, Electrical Equipment and Components, except Computer Equipment |
| 3812 – 3873 | Measuring, Analyzing and Controlling Instrument; Photographic and Optical Goods |

(See Part II, Section A.1.b for a detailed list of SIC codes)

## Section AD. Sector AD of Industrial Activity - Miscellaneous Industrial Activities

### 1. Description of Industrial Activity

The requirements under this section apply to stormwater discharges from activities identified and described as Sector AD. Sector AD industrial activities are described by the following Industrial Activity Code:

**SECTOR AD: MISCELLANEOUS INDUSTRIAL ACTIVITIES**

*Activity Codes and Description of the Industrial Activity*

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

### 2. Limitations on Permit Coverage

(a) Facilities may not request general permit coverage under Sector AD. Coverage under this sector is reserved for those facilities that are designated by the executive director as eligible for coverage under this sector of this general permit. The executive director may designate a facility based on site specific considerations such as water quality impacts. A designation may be made based on information obtained during a site inspection or other means, if it is determined that the discharge would be appropriately regulated under this general permit rather than an individual stormwater permit.

(b) Facilities that are determined by the executive director to need controls in addition to the requirements in Part II and Part III of this general permit will be required to obtain an individual TPDES permit.

### 3. SWP3 and Other Requirements

The permittee must implement the controls and measures described in Part III of this general permit for all regulated areas of the facility.

### 4. Co-located Activities

Where co-located industrial activities occur (refer to Part II, Section A.3. of this general permit), the additional conditions and requirements in Part V of this general permit for each of these activities also apply.

### 5. Benchmark Monitoring Requirements

All facilities authorized under this section must conduct benchmark monitoring according to the requiregdments in Part IV of this general permit and conduct evaluations on the effectiveness of the facility SWP3 based on the following benchmark values:

**Table 35. Benchmark Monitoring Requirements for Sector AD**

| Activity Code | Description of Industrial Activity | Benchmark Parameter | Benchmark Value |
|---|---|---|---|
| AD | Miscellaneous Industrial Activities | pH<br>TSS<br>COD<br>Oil and Grease | 6.0-9.0 S.U.<br>100 mg/L<br>60 mg/L<br>10 mg/L |