

# Texas Pollutant Discharge Elimination System

## Stormwater Multi-Sector General Permit (MSGP) TXR050000 Overview

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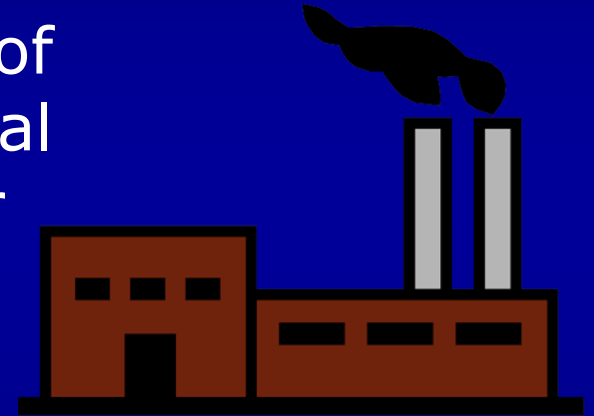
# Industrial Stormwater MSGP

- Permit basics
- Obtaining coverage
- Permit requirements
- TX MSGP renewal



# MSGP TXR050000

- Effective August 14, 2011
- Expires August 13, 2016
- Authorizes point source discharges of stormwater associated with industrial activity and certain non-stormwater discharges to surface water in the state
- Stormwater discharge directly related to manufacturing, processing or raw materials storage areas at an industrial facility.



# MSGP Applicability

- Operators of facilities with regulated discharges
  - Corporations, partnerships, sole proprietors, government, individuals
- Co-located activities (more than one SIC code)
- Co-located facilities (each has a distinct authorization number)
- Municipally-operated facilities
- Military bases and other federal facilities
- Additional facilities designated by TCEQ



# MSGP Limitations on Coverage

- Individual permits may be required based on considerations such as:
  - Compliance History
  - Water Quality standards violations



# Discharges That Require MSGP Authorization

- “Stormwater discharges associated with industrial activity”, 40 CFR §122.26(b)(14):
  - Facility (i.e., “primary”) standard industrial classification (SIC) codes:  
<http://www.osha.gov/pls/imis/sicsearch.html>
  - Additional narrative categories: landfills (LF), treatment works (TW), steam electric power plants (SE), and hazardous waste treatment, storage and disposal facilities (HZ)
  - Discharges of stormwater regulated under federal categorical guidelines, 40 CFR 400-474
- Total of 30 Sectors



# Oil and Gas Field Services

## SIC Code 1389

### Regulation of Industrial Activities:

- TCEQ regulates oil and gas activities that occur at a company headquarters, permanent offices, or base of operations
- Texas Railroad Commission (RRC) regulates oil and gas activities that occur in the field



# MSGP TXR050000

## Authorization

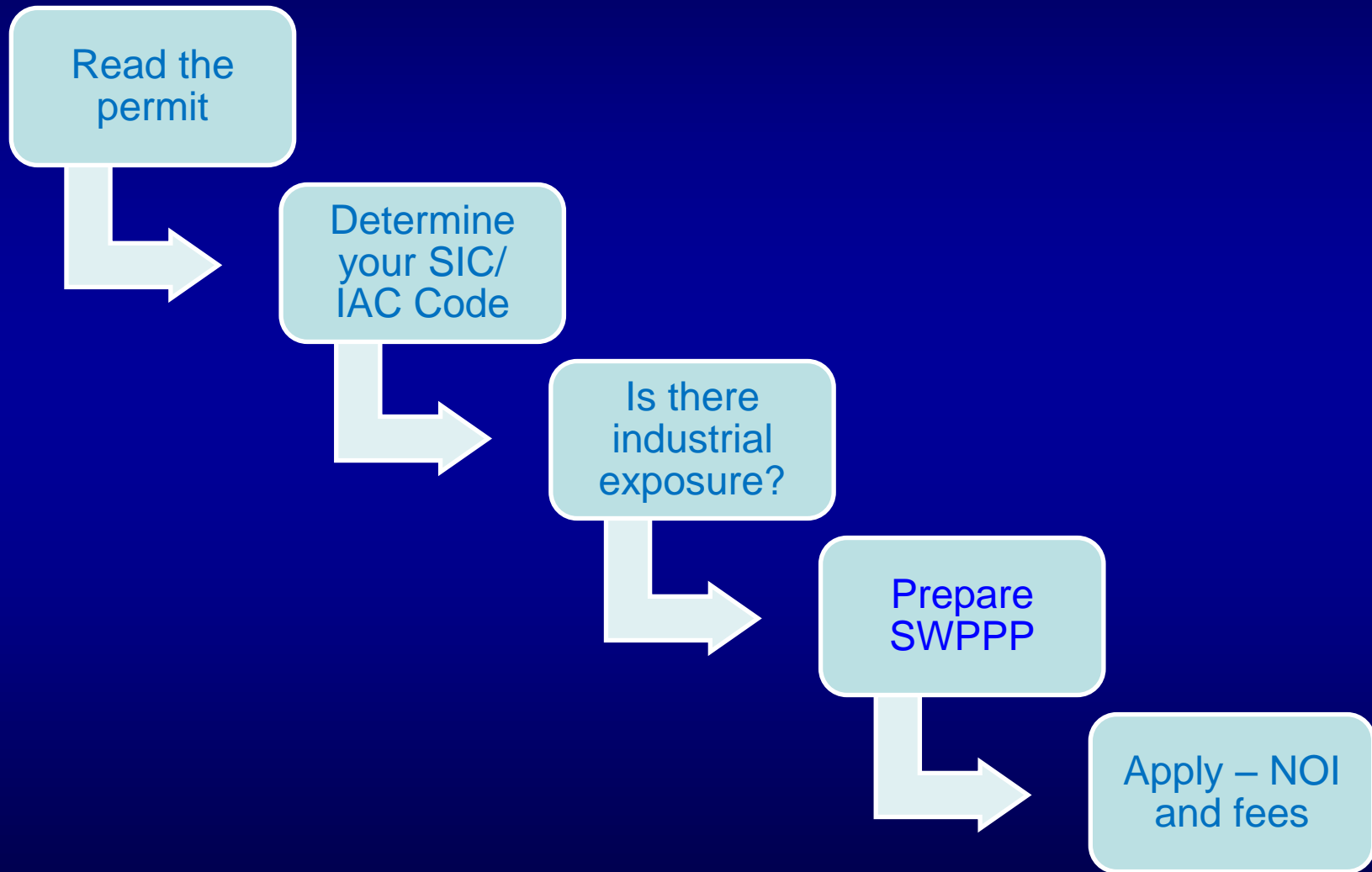
- Each applicant is assigned a unique individual authorization number
  - Example: **TXR05**N198
- Non-transferable
- Expires at midnight on August 13, 2016
  - **Authorizations:**
    - 9,014 NOIs
    - 4,393 NECs





# How to get permit coverage?

## MSGP Authorization -NOI



# Options and Fees for MSGP authorization

## Options for Notice of Intent (NOI) – application and fee

1. Paper - \$200 fee / Provisional coverage 7 days after postmarked date
2. Electronic - \$100 fee / Immediate coverage
  - Copy of NOI to Municipal Separate Storm Sewer System (MS4) Operator

Pay Annual Water Quality Fee: \$200.00  
(invoiced)

- Not the same as application fee!



# NOI Certification

- I certify that I have obtained a copy and understand the terms and conditions of the general permit TXR050000
- I understand that permits active on September 1st of each year will be assessed an Annual Water Quality Fee
- I certify that a Stormwater Pollution Prevention Plan has been prepared and implemented as required in the general permit.



# Obtaining MSGP Authorization Through ePermits



- Steps in STEERS
  1. Create an Account
  2. Fill out applicable NOI
  3. Sign Form (need a Texas Driver's License)
  4. Pay \$100 Fee
  5. Submit NOI
  6. Print authorization certificate
- Immediate coverage upon receiving e-mail acknowledgement
- <https://www3.tceq.texas.gov/steers/index.cfm>



# Obtaining MSGP Authorization Paper Version of the NOI

- ❖ Fill out, sign NOI and mail to address listed
- ❖ Pay \$200 fee by mail (use address provided)  
or by ePay

<https://www3.tceq.texas.gov/epay/>

- ❖ Provisional authorization 7 days  
after postmark date
- ❖ Acknowledgement letter and authorization  
mailed
- ❖ Allow 30 days for processing



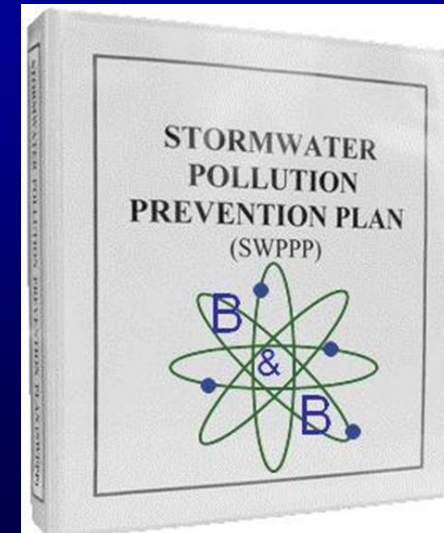
# MSGP Requirements

- Develop and implement Stormwater Pollution Prevention Plan (SWP3)
  - revise as needed
- Monitor and record discharges to comply with numeric effluent limits (once annually)
- Perform quarterly visual monitoring
- Perform quarterly inspections of controls
- Perform Benchmark sampling
  - twice annually
- Annual Report



# SWP3 Requirements

- ▶ Comprehensive site compliance evaluation
  - ▶ Site map with outfalls / sampling points
  - ▶ Narrative description of activities
- ▶ Requires updates – “living document”
- ▶ Pollution Prevention Team
- ▶ Describe potential pollutants and sources
- ▶ Describe pollution prevention measures
  - ▶ Best management practices (BMPs)
- ▶ Stays on site or made readily available
- ▶ Includes:
  - ▶ Summary of sampling data
  - ▶ Inspection reports
  - ▶ Employee training



# Qualifying Storm Events

- Measurable storm that results in a discharge from the site
- Must have rain gauge on-site
- If unable to collect a sample, document reason





# Hazardous Metals Sampling and Monitoring Requirements

- Comply with numeric limits for hazardous metals
  - Sample once per year
    - Submit results by March 31 to TCEQ only if limits are exceeded
    - Exceedances  $\geq 40\%$  must be reported directly to TCEQ's Enforcement Division and regional office within 5 working days (in writing)
  - Required for all sectors
  - Waiver option available



# Discharge Monitoring Requirements

## ➤ Sector Specific Effluent Limits

- Required of only certain discharges within specific sectors
- Sample once each year by December 31st
- Results must also be kept in SWP3 and made readily available
- Any exceedance must be sent to TCEQ
- If any exceedance is  $\geq 40\%$ , the DMR must be submitted to TCEQ and regional office




# Benchmark Monitoring Requirements

## ➤ Sector Specific Benchmark Sampling

- Conduct once per six months for 8 semiannual monitoring periods
- Submit results to TCEQ by March 31st
- Use Benchmark Sampling form #20091 (not a DMR)
- If exceed, must evaluate SWP3, BMPs, and revise as needed
- Based on SIC codes within sectors
- Waiver for Years 3 and 4 available if results for Years 1 and 2 are below benchmark levels.



# Inspections

Type	Frequency	Recording
Inspection/Certification of Non-stormwater Discharges	Within 180 days of filing an NOI	<ul style="list-style-type: none"> <li>- Update SWP3 as needed</li> <li>- Certification in SWP3</li> </ul>
Routine Facility Inspection	1/quarter by qualified personnel & SWPP team member	<ul style="list-style-type: none"> <li>- Signed documentation with checklist</li> </ul>
Quarterly Visual Monitoring 	quarterly	<ul style="list-style-type: none"> <li>- Reviewed by SWPP team</li> <li>- Records in SWP3</li> <li>- Update SWP3 as needed</li> </ul>
Annual Comprehensive Site Compliance Inspection	annually	<ul style="list-style-type: none"> <li>- Report that is signed/certified within 30 days</li> <li>- Update SWP3 as needed</li> </ul>

# No Exposure Exclusion

- Available for all sites that have no exposure of industrial materials or activities to stormwater
  - Including waste handling areas, product storage, loading/unloading areas
- “No exposure” generally means inside of a **storm resistant shelter**
- No SWP3, sampling, monitoring, or inspections required



# No Exposure Exclusion

- Exceptions to storm resistant shelter:
  - Final products meant for outdoor use
    - *Must be completely assembled (for example, a picnic table or swing set)*
  - Sealed drums/tanks with no operational valves
  - Lidded dumpsters
  - Roof stacks/vents
  - TCEQ Regulatory Guidance RG-467
  - <http://www.tceq.texas.gov/publications/rg/rg-467.html>



# Obtaining a No Exposure Exclusion

- Submit Conditional No-Exposure Certification (NEC) form instead of NOI
- Pay Application fee
  - \$200 paper
  - \$100 through ePermits
- No annual fee
- Maintain “no exposure” conditions at all times



# Changes in Information or Cancelling Coverage

- Changes to information submitted on NOI or NEC form:
  - Submit a Notice of Change (NOC) form
- Cancelling coverage
  - Submit NOT form
  - All NOIs active on *September 1 of each year* will be billed an annual fee for the current FY





# Wastewater Treatment Plants

## Operating a Domestic WWTP with > 1 MGD or with a Pretreatment Program:

- Required to obtain authorization to discharge stormwater
  - MSGP (Sector T) **or**;
  - Individual Municipal Wastewater Discharge Permit



# 2016 MULTI-SECTOR GENERAL PERMIT RENEWAL

## TIMELINE:

- Renewal process began October 2014
- Stakeholder meeting held January 8, 2015
- Stakeholder comment period ended January 23, 2015
- EPA 90 day review began May 8, 2015
  - Review completed on August 12, 2015
  - Approval without objections



# TIMELINE (continued)

- Draft permit released for public review October 16, 2015
  - 30 day public comment period (October 16 – November 16, 2015)
  - *Texas Register*
  - Newspapers: Dallas, San Antonio, Amarillo, McAllen, El Paso, Houston
- Public meeting was held at TCEQ on November 16, 2015



# TXR050000 Renewal – Next Steps:

- Complete Response to Comments (RTC) document by April 2016
- Final edits to permit and fact sheet by April 2016
- Brief management: April - June 2016
- Backup Agenda Date: June 13, 2016
  - Documents available for viewing on TCEQ website
  - <https://www.tceq.texas.gov/agency/agendas/agenda.html>
- Commissioners Agenda for Adoption: July 6, 2016
- Permit effective date: **August 14, 2016**



# TXR050000 RENEWAL – NEXT STEPS AFTER ISSUANCE

- After permit effective date:
  - 90 day period to submit applications for renewal
- All MSGP authorizations not renewed by November 13, 2016 will be terminated
- */f* MSGP coverage is no longer needed by August 31, 2016
  - Must terminate prior to this date to avoid WQ Annual fee



# Proposed Changes To Existing Permit

- SIC code and Sector format changes
- Language Clarifications
  - How to document zero rainfall totals or no rain in BMR forms
  - Sector P, SIC 5171, pertaining to the storage of crude oil, clarified when under TCEQ or EPA jurisdiction
  - Sector I (Oil and Gas Extraction Facilities)- when facilities qualify for permit coverage under the EPA NPDES permit, or when they qualify under the MSGP.



# Proposed Changes To Existing Permit

- Clarifying BMR waiver reporting requirements
- Proposed BMR limits
- Adding Definitions
  - “Infeasible”, “Pollutant(s) of Concern”, and “Benchmark”.
  - Deicing definitions for Sector S



# Proposed Changes To Existing Permit

- Inclusion of federal Airport De-icing rule language
- Impaired Receiving Waters and Total Maximum Daily Load (TMDL) Requirements
  - Including Texas Integrated Report Index of Water Quality Standards





# MSGP Renewal Benchmark Analysis

## STEPS

1. Review past processes for analyzing benchmarks
  - Each permit term data are analyzed for setting future benchmarks
  - 2006 & 2011 MSGP Renewal - Adjusted 10 benchmark values
2. Descriptive statistics (median, min/max, range, distribution)
3. Analyze and recommend proposed changes
  - Comparison of data over time – 2011 vs 2016
  - Comparison of 2016 permit data to current benchmarks



# Summary of Proposed Benchmark Values

- Ammonia-Nitrogen lowered from 2.5 to 1.7 mg/L for the following (2 of 2):
  - Sector K (Activity Code HZ)
  - Sector S (SIC Codes 4512-4581)
- Biochemical Oxygen Demand (BOD5) lowered from 30 to 20 mg/L for the following (1 or 1):
  - Sector T (Activity Code TW)
- Total Suspended Solids (TSS) lowered from 100 to 50 mg/L for the following (4 of 12):
  - Sector A (SIC Codes 2426-2499)
  - Sector C (SIC Codes 2873-2879)
  - Sector F (SIC Codes 3321-3325)
  - Sector H (SIC Codes 1221-1241)



# NPDES E-REPORTING RULE

- EPA National Electronic Reporting Rule:
  - Rule finalized and in effect December 2015
- TCEQ 2016 MSGP Renewal
  - Moving to 100% electronic submittal of NOIs
    - ~50% of MSGP permitting universe currently submitting electronically
  - All DMRs must be submitted electronically following permit issuance
- Comments or Questions?



# Useful Links

- TCEQ webpage - <http://www.tceq.texas.gov/>
- TCEQ Stormwater Permits - [http://www.tceq.texas.gov/permitting/stormwater/sw\\_permits.html](http://www.tceq.texas.gov/permitting/stormwater/sw_permits.html)
- STEERS - <https://www3.tceq.texas.gov/steers/index.cfm>
- SBLGA Assistance Tools - <http://www.tceq.texas.gov/assistance/water/sw-industrial.html>



# TCEQ FORMS FOR MSGP

- **Notice of Intent (NOI)**, TCEQ Form 10382
- **No-Exposure Certification (NEC)**, TCEQ Form 10383
- **Hazardous Metals Waiver**, TCEQ Form 10425
- **Notice of Termination (NOT)**, TCEQ Form 10443
- **Benchmark Monitoring Data Analysis**, TCEQ Form 20091
- **Notice of Change (NOC)**, TCEQ Form 20390



# MSGP FORM LOCATION

- <http://www.tceq.texas.gov/>
- Scroll down until you find: (left side of page near the bottom)
  - Click on Forms



# Contact Information

- Stormwater & Pretreatment team  
**(512) 239-4671**  
[swgp@tceq.texas.gov](mailto:swgp@tceq.texas.gov)
- Stormwater Processing Center  
**(512) 239-3700**  
[swpermit@tceq.texas.gov](mailto:swpermit@tceq.texas.gov)
- Small Business and Local Government Assistance (SBLGA)  
**1-800-447-2827**



# TPDES Stormwater Program Contacts

- Stormwater & Pretreatment Team
  - Team Leader: Rebecca L. Villalba
  - Stormwater Permit Coordinators
    - Lindsay Garza
    - Hanne Lehman Nielsen
    - Dan Siebeneicher
    - Gordon Cooper
    - Ryan Bucek
    - Kent Trede
    - Elizabeth Dickinson

