

# TCEQ Stormwater and Pretreatment Programs

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Small Business & Local Government Assistance  
1-800-447-2827 [www.TexasEnviroHelp.org](http://www.TexasEnviroHelp.org)



# What is stormwater? What is a discharge?

- Stormwater is rainfall and snowmelt.
- Run-off carries potential pollutants as a discharge.



# Permits

- Multi-Sector General Permit aka MSGP or Industrial
  - TXR050000 (expires 8/14/21)
- Construction General Permit aka CGP or Construction
  - TXR150000 (expires 03/05/23)
- Municipal Separate Storm Sewer Systems
  - Phase I- large and medium cities
  - Phase II- small cities
  - TXR040000 (expires 12/13/18)



# Multi-Sector General Permit



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# Who Needs MSGP Coverage?

*If* a facility discharges stormwater associated with an industrial activity...

*And* the facility is one of the regulated industrial sectors...

*Then* authorization is required.



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# Primary SIC Code

- SIC and NAICS Codes
- Primary SIC Code Based on Activity:
  - Generating the most revenue
  - Receiving the most resources
- If SIC codes of primary activity and secondary activities are regulated, then the facility must comply with requirements for both sectors.



# Regulated Sectors

- Regulated industrial activities are grouped into 30 sectors based on SIC Code
- Regulated Sectors include but are not limited to:
  - Manufacturing - paper, electronics, chemical, food, textiles, machinery, metals, leather



# Regulated Sectors

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

### *Activity Codes and Description of Industry Sub-sector*

LF -Landfills, Land Application Sites, and Open Dumps that Receive or Have Previously Received Industrial Waste, including sites subject to regulation under Subtitle D of the Resource Conservation and Recovery Act (RCRA).

## **SECTOR M: AUTOMOBILE SALVAGE YARDS**

### *SIC Codes Description of Industry Sub-sector*

5015 Automobile Salvage Yards

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

### *SIC Codes Description of Industry Sub-sector*

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)



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# Back to Applicability

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# Authorization Options

Every regulated facility that discharges must be authorized under:

- Notice of Intent,
- Conditional No Exposure Certification, or
- Individual Water Quality Permit



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# No Discharge

Contain all stormwater within property boundaries even during extreme rain events.

- Burden of proof on operator
- Potential fines if wrong

**Not eligible for the permit.**



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# No Exposure

- Excluded from permit coverage if all activities and materials are indoors and/or always protected from precipitation and runoff.
- Must comply at all times – 24/7
- Subject to investigation and enforcement action



## No Exposure (Continued)

- Determine eligibility by reviewing RG 467
- Must apply by submitting a No Exposure Certification (NEC) online
- Must provide copy of NEC to MS4 (if applicable)



## Notice of Intent (NOI)

- If facility cannot meet No Exposure, would fall under a NOI
- Must apply by submitting an NOI online
- Must provide copy of NOI to MS4 (if applicable)



# Requirements for MSGP Coverage

- Develop & implement Stormwater Pollution Prevention Plan prior to start of industrial activity
- Monitor Discharges- quarterly, semiannual and/or annual
- Inspect controls



# Stormwater Pollution Prevention Plan

- Also referred to as SWP3
- Comprehensive site evaluation
- Inspection reports
- Site map
- Requires updates: “Living document”
- Stays on site or made readily available





# SWP3 Details

- Pollution prevention team.
- Description of site and industrial operations.
- Potential pollutant sources.
- Non-stormwater discharges..
- BMPs and controls to manage runoff



# Monitoring Requirements

- Quarterly Visuals
  - every three months
- Benchmarks
  - semi-annually
- Numeric Effluent Limits (hazardous metals)
  - annually unless waived



# Monitoring Requirements (Continued)

- Sector Specific Numeric Effluent Limits
  - annually
- Impaired Waters and Pollutants of Concern
  - Annually (if applicable)



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# Terminating MSGP Coverage

Submit a Notice of Termination (NOT) when:

- Switch between NOI vs NEC
- Relocation of facility
- Alternative authorization obtained
- Transfer of operational control



# What Not to Do...



# Unsuccessful BMPs



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Assistance



# Common Permit Violations

- Failure to:
  - Prevent unauthorized discharge
  - Obtain permit coverage
  - Develop/implement SWP3
  - Include and update site map



# Common Permit Violations

- Failure to:
  - Update pollution prevention team information
  - Properly install and maintain BMPs
  - Inspect on-site controls
  - Keep containers closed





# How to be in Compliance...

- **Read the permit**
- Know the applicable sections of the permit
- Implement and maintain appropriate controls
- Conduct routine monitoring
- Modify SWP3 when changes are needed
- Contact the TCEQ for guidance



# Resources

- Assistance Tools for Stormwater webpage
- SWP3 Template
- Sampling Guide
- Quarterly Visual Monitoring Guide



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# Pretreatment

- Publicly Owned Treatment Works (POTW)
  - Tax-payer built and run wastewater treatment plants
- Pretreatment
  - the treatment of wastewater by facilities to remove harmful pollutants before discharging to a sewer system under control of a POTW



# Pretreatment

- Approved Programs
  - A POTW that has been approved by TCEQ to administer a pretreatment program
    - Required for POTW with a permitted treatment capacity of at least 5.0 million gallons per day



# Approved Programs

- The TCEQ will ensure that the approved programs are in compliance by conducting approved program inspections
- Approved programs will then regulate industries directly by permit or ordinance



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# Pretreatment

- Categorical Industrial User (CIU):
  - The industrial activity performed at the facility is regulated under either 40 CFR 400-424 and 425-699
  - Subparts in rules according to processes or manufactured products or raw material used
  - The facility discharges process wastewater to a POTW



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# Categorical Industrial Users

- PART 413 - Electroplating
- PART 414 - Organic chemicals, plastics, and synthetic fibers
- PART 415 - Inorganic chemicals manufacturing
- PART 417 - Soap and detergent manufacturing
- PART 418 - Fertilizer manufacturing
- PART 419 - Petroleum refining
- PART 420 - Iron and steel manufacturing
- PART 421 - Nonferrous metals manufacturing
- PART 425 - Leather tanning and finishing
- PART 428 - Rubber manufacturing
- PART 429 - Timber products processing
- PART 430 - Pulp, paper, and paperboard
- PART 433 - Metal finishing
- PART 435 - Oil and gas extraction
- PART 437 - Centralized waste treatment
- PART 442 - Transportation equipment cleaning
- PART 444 - Waste combustors
- PART 464 - Metal molding and casting
- PART 465 - Coil coating
- PART 466 - Porcelain enameling
- PART 467 - Aluminum forming
- PART 468 - Copper forming
- PART 469 - Electrical and electronic components
- PART 471 - Nonferrous metals forming and metal powders



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# Categorical Limits

- Categorical Limits
  - Limits based on the type of operation and/or quantity of production
  - Different limits for both direct and indirect discharging CIUs
  - Can be production and concentration based limits





# Where can I get help?

- TCEQ Small Business and Local Government Assistance (SBLGA)
  - Regional Staff statewide
  - Toll free, confidential hotline 800-447-2827
- EnviroMentor
- Financial, Managerial or Technical Assistance (FMT)



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# Resources

- TexasEnviroHelp website
  - Resources based on program and type of business
- Assistance Tools for Stormwater Permitting
  - Template SWPPP and Instructions
  - Sampling Guide
  - No Exposure Guidance



# Questions?

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