Texas Pollutant Discharge Elimination System

Stormwater Multi-Sector General Permit (MSGP) TXR0500000 Overview

Lindsay M. Garza

Texas Commission on Environmental Quality
Stormwater & Pretreatment Team
Water Quality Division
(512) 239-4671
Industrial Stormwater MSGP

- Permit basics
- Obtaining coverage
- Permit requirements
- TX MSGP renewal
MSGP TXR050000

- Effective August 14, 2011
- Expires August 14, 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”, defined in 40 CFR § 122.26(b)(14):
  - Facility (i.e., “primary”) standard industrial classification (SIC) codes: [http://www.osha.gov/pls/imis/sicsearch.html](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 storm water 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.
How to get permit coverage? MSGP Authorization - NOI

1. Read the permit
2. Determine your SIC/IAC Code
3. Is there industrial exposure?
4. Prepare SWPPP
5. Apply – NOI and fees
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!
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 ≥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 ≥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.
<table>
<thead>
<tr>
<th>Type</th>
<th>Frequency</th>
<th>Recording</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inspection/Certification of Non-stormwater Discharges</td>
<td>Within 180 days of filing an NOI</td>
<td>- Update SWP3 as needed - Certification in SWP3</td>
</tr>
<tr>
<td>Routine Facility Inspection</td>
<td>1/quarter by qualified personnel &amp; SWPP team member</td>
<td>- Signed documentation with checklist</td>
</tr>
<tr>
<td>Quarterly Visual Monitoring</td>
<td>quarterly</td>
<td>- Reviewed by SWPP team - Records in SWP3 - Update SWP3 as needed</td>
</tr>
<tr>
<td>Annual Comprehensive Site Compliance Inspection</td>
<td>annually</td>
<td>- Report that is signed/certified within 30 days - Update SWP3 as needed</td>
</tr>
</tbody>
</table>
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
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

• Permit issued August 14, 2016
• Expires August 14, 2021
• 90 day period to submit applications for renewal
• All MSGP authorizations not renewed by November 14, 2016 will be terminated
• If MSGP coverage is no longer needed, submit NOT by August 31, 2016
  • Must terminate prior to this date to avoid $200 Annual WQ fee
Changes Made to MSGP

- 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.
Changes Made to MSGP

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

- 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
Changes to 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

- STEERS - [https://www3.tceq.texas.gov/steers/index.cfm](https://www3.tceq.texas.gov/steers/index.cfm)
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

- Scroll down until you find: (left side of page near the bottom)
  - Click on Forms
Contact Information

- **MSGP Renewal Hotline**
  (512) 239-6747

- **Stormwater & Pretreatment team**
  (512) 239-4671
  swgp@tceq.texas.gov

- **Stormwater Processing Center**
  (512) 239-3700
  swpermit@tceq.texas.gov

- **STEERS**
  (512) 239-6925
  STEERS@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, Work Leader
  • Hanne Lehman Nielsen
  • Dan Siebeneicher
  • Gordon Cooper
  • Ryan Bucek
  • Kent Trede
  • Elizabeth Dickinson