

Issuance of Renewed Stormwater Permit: 2016 TPDES Multi-Sector General Permit

Overview

On August 14, 2016, The Texas Commission on Environmental Quality (TCEQ) issued the renewed Texas Pollutant Discharge Elimination System (TPDES) Multi Sector General Permit (MSGP) Number TXR050000, which authorizes the discharge of stormwater associated with industrial activity. This renewed permit supersedes and replaces TPDES General Permit No. TXR050000 issued on August 14, 2011. Existing permittees must submit a notice of intent (NOI) or No Exposure Certification (NEC) form to renew the coverage, as applicable, no later than November 14, 2016. All MSGP authorizations not renewed by November 13, 2016 will be terminated. The renewed MSGP would continue the authorization for industrial facilities in Texas for five years from the effective date of the permit.

Major changes to previous version of the MSGP permit

Major changes to previous version of the MSGP Permit (August 14, 2011 version) include:

- > Part II Section A: The Standard Industrial Classification (SIC) code and sector format has been changed by adding more details to the SIC codes and industrial activity descriptions;
- > Part II Section C and Part III Sections C and E: Added language to address NPDES Electronic Reporting Rule, application forms and discharge monitoring report (DMR);
- > Part V Section S: Added narrative and numeric effluent limitations guidelines to include deicing requirements for airport and airplane deicing operations;
- > Changes to benchmark values and sampling based on based on Benchmark Monitoring Reports (BMR) received from permittees during permit years 2011 – 2014;
- > Added language clarifications for the following items:
 - (1) How to document zero rainfall totals or no rain in BMR forms;
 - (2) Part V Sector P, SIC 5171, pertaining to the storage of crude oil - clarified when under TCEQ or EPA jurisdiction;
 - (3) 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;
 - (4) Part II Section C.1(a) for above ground storage tanks (ASTs) requirements;
 - (5) Clarification to the section "Impaired Water Bodies and Total Maximum Daily Load Requirements" to address when discharges are considered discharging to an impaired water body;
 - (6) Clarify that an applicant who owns or operates a facility classified as an "unsatisfactory performer" is entitled to a hearing before the commission prior to denial or suspension of authorization.
- > Removed the terms "Stockpiled rail ties" and "metal products" from language in Part II.C.1.(b).

More information on the renewed MSGP Permit, including the permit content and required application forms, can be obtained from the following link:

<https://www.tceq.texas.gov/permitting/stormwater/industrial/proposed-industrial-permit>

Contact the Trinity Dallas office at (972) 661-8100 or your local office in Texas to learn more about the potential impacts to your facilities or for assistance with submitting either an NOI or NEC to TCEQ prior to the deadline to complete the requirements as part of the stormwater permit renewal.