

2014 REVISION

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STORMWATER MANAGEMENT PLAN

FOR COMPLIANCE WITH THE TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM
GENERAL PERMIT NO. TXR040000

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INTRODUCTION

I. REGULATORY BACKGROUND

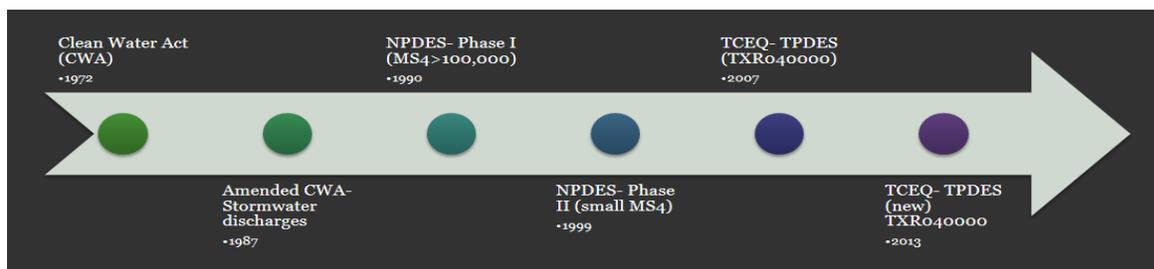
In 1972, Congress amended the Federal Water Pollution Control Act (commonly referred to as the Clean Water Act (CWA) to prohibit the discharge of any pollutant to waters of the United States from a point source unless the discharge is authorized by a National Pollutant Discharge Elimination System (NPDES) permit. The NPDES program is a program designed to track point sources and require the implementation of the controls necessary to minimize the discharge of pollutants.

In 1987, Congress amended the CWA to require implementation, in two phases, of a comprehensive national program for addressing stormwater discharges. The first phase of the program, commonly referred to as “Phase I,” was promulgated by the US Environmental Protection Agency (EPA) on November 16, 1990 (Federal Register, volume 55, page 47, 990 50 5F447990). Phase 1 requires NPDES permits for stormwater discharge from a large number of priority sources, including municipal separate stormwater sewer systems (MS4s) generally serving populations of 100,000 or more and several categories of industrial activity, including construction sites that disturb five or more acres of land. EPA promulgated the second phase of the stormwater regulation program, commonly referred to as “Phase II”, on December 8, 1999 (60 4FR68722). The complete Federal Register announcement can be viewed on the EPA websites as listed in the references section of this document. Phase 2 regulations address stormwater discharges from certain MS4s serving populations of less than 100,000 people (called small MS4s). In summary, the regulations, which may be found in title 40, part 122 of the code of federal regulations (40 CFR 122), require that all small MS4 operators located in urbanized areas (as defined by the latest U.S. Census) must develop, implement and enforce a stormwater management program (SWMP) designed to reduce discharge of pollutants from the MS4 to the maximum extent practicable, to protect water quality...”

EPA has delegated authority to issue MS4 stormwater discharge permits, in Texas, to the state of Texas. Under the authority of the Texas Water Code and the CWA, the Texas Commission on Environmental Quality (TCEQ) issued a Texas Discharge Elimination System (TPDES) general permit to authorize discharges from small MS4s into surface waters in the state (general permit no. TXR040000). This general permit was first issued and effective on August 13, 2007. Under the permit of 2007, the City implemented a Stormwater Management Plan which was adopted by Council in January 2008 and approved by TCEQ in October 2008.

The initial five-year permit expired on August 12, 2012; however, the TCEQ authorized extended permit coverage under the initial permit until approval of the new permit was issued. In December 2013, the TCEQ adopted the new Small MS4 General Permit (TPDES Permit No. TRX040000) which became effective December 13, 2013. The new permit specifies which small MS4s must obtain individual permit coverage, which are eligible for waivers, and specifies that a SWMP must be developed and implemented where discharges will reach waters of the US. The current permit can be viewed on the TCEQ website as listed in the references section of this document.

A. REGULATORY TIMELINE



II. PROGRAM RATIONALE

A. REGULATORY REQUIREMENTS AND CHANGES

As the City of Red Oak (hereinafter, the City) operates a small MS4 fully located within an urbanized area (UA), as determined by the 2010 U.S. Census Bureau, it must obtain authorization for the discharge of stormwater runoff, and is eligible for coverage under the new permit. Furthermore, the City, under the new permit, is categorized as a Level 2 MS4, serving a population of at least 10,000 but less than 40,000 within the UA.

The new permit defines a stormwater management program for a small MS4 as a program composed of six required elements that, when implemented together, are expected to reduce pollutants discharged into receiving water bodies to the maximum extent practicable (MEP). The new permit revises, and to some extent, reorganizes the existing Minimum Control Measures (MCMs), to include additional controls and details where appropriate. These revised list of six program elements, or MCMs, includes:

- 1) Public Education, Outreach, and Involvement;
- 2) Illicit Discharge Detection and Elimination;
- 3) Construction Site Stormwater Runoff Control;
- 4) Post-Construction Stormwater Management in New Development and Redevelopment;
- 5) Pollution Prevention and Good Housekeeping for Municipal Operations; and
- 6) Industrial Stormwater Sources.

MCM (6) is required only for Level 4 MS4s, as they are similar in populations to Phase I MS4s, which this MCM is based on. The permit maintains the optional 7th MCM, related to construction activities where the small MS4 is the site operator (reference Permit Part III.B).

The implementation and evaluation of these MCMs comprise the heart of the City's SWMP. Included within each MCM category is information about:

- Best Management Practices (BMPs) that will be implemented, as appropriate;
- The measurable goals for each of the BMPs, including, as appropriate the months and years in which the applicant will take the required actions, including interim milestones and the frequency of the action; and
- The person or persons responsible for implementing or coordinating the applicants SWMP.

This revised stormwater management plan is to be submitted with a notice of intent (NOI) to the TCEQ to meet the requirements of the new permit. Any BMPs that were found not to be effective in the previous permit can be modified or removed with justification. The City will continue to implement the existing SWMP until the revised SWMP has been approved by the TCEQ.

B. SWMP DEVELOPMENT

On March 4, 2014, the City entered into a contract with Paredes-Garcia & Associates (PGA), a consulting engineering firm, for the development of the revised SWMP and preparation of a Notice of Intent (NOI). PGA and city staff performed the steps described in this section to determine the most appropriate BMPs for the city.

A BMP review was performed to determine the effectiveness and appropriateness of each BMP, and to ensure that resources and funding can be met. City staff was asked to review the list and indicate which BMPs are already implemented, or can be implemented in the new permit. Also, city staff identified potential changes to BMPs that were found to be ineffective or inappropriate due to lack of participation, funding constraints, and/or not required of level 2 MS4s. Suggested changes were reviewed and compared with regulatory requirements in the permit for each MCM. PGA and city personnel modified the previous BMP list and compiled a revised list of BMPs to reduce pollutants to the maximum extent practicable.

The draft revised SWMP and NOI will be submitted to TCEQ within the allowed 180 day period for application of coverage, as specified in the permit. Authorization will begin when the City is notified that the TCEQ has approved the NOI and SWMP, and after the City has met the Public Notice process described below.

C. PUBLIC PARTICIPATION

As an applicant under the TCEQ general MS4 permit, the City must comply with the following public notice procedures:

- i. The applicant must submit the NOI and a SWMP to the TCEQ executive director.
- ii. After the applicant receives written instructions from the TCEQ's Office of Chief Clerk, the applicant must publish notice of the executive director's preliminary decision on the NOI and SWMP.
- iii. The notice will include the following information, at a minimum:
 - a. The legal name of the MS4 operator;
 - b. Indication of whether the NOI is for a new authorization or is a renewal of an existing authorization;
 - c. The address of the applicant;
 - d. A brief summary of the information included in the NOI, such as the general location of the small MS4 and a description of the classified receiving waters that receive the discharges from the small MS4;
 - e. The location and mailing address where the public may provide comments to the TCEQ;
 - f. The public location where copies of the NOI and SWMP, as well as the executive director's general permit and fact sheet, may be reviewed; and
 - g. If required by the executive director, the date, time, and location of the public meeting.
- iv. This notice must be published at least once in a newspaper of general circulation in the municipality or county where the small MS4 is located. If the small MS4 is located in multiple municipalities or counties, the notice must be published at least once in a newspaper of general circulation in the municipality or county containing the largest resident population for the regulated portion of the small MS4. This notice must provide opportunity for the public to submit comments on the NOI and SWMP. In addition, the notice must allow the public to request a public meeting. A public meeting will be held if the TCEQ determines that there is significant public interest.

- v. The public comment period begins on the first date the notice is published and lasts for at least 30 days. If a public meeting is held, the comment period will end at the closing of the public meeting (see paragraph (f) below). The public may submit written comments to the TCEQ Office of Chief Clerk during the comment period detailing how the NOI or SWMP for the small MS4 fails to meet the technical requirements or conditions of this general permit.
- vi. If significant public interest exists, the executive director will direct the applicant to publish a notice of the public meeting and to hold the public meeting. The applicant shall publish notice of a public meeting at least 30 days before the meeting and hold the public meeting in a county where the small MS4 is located. TCEQ staff will facilitate the meeting.
- vii. If a public meeting is held, the applicant shall describe the contents of the NOI and SWMP. The applicant shall also provide maps and other data on the small MS4. The applicant shall provide a sign in sheet for attendees to register their names and addresses and furnish the sheet to the executive director. A public meeting held under this general permit is not an evidentiary proceeding.
- viii. The applicant shall file with the Chief Clerk a copy and an affidavit of the publication of notice(s) within 60 days of receiving the written instructions from the Chief Clerk.
- ix. The executive director, after considering public comment, will either approve, approve with conditions, or deny the NOI based on whether the NOI and SWMP meet the requirements of this general permit.
- x. Persons whose names and addresses appear legibly on the sign-in sheet from the public meeting and persons who submitted written comments to the TCEQ will be notified by the TCEQ's Office of Chief Clerk of the executive director's decision regarding the authorization.

CITY BACKGROUND

I. SETTING AND CHARACTER

A. THE CITY OF RED OAK

The City of Red Oak is located at the heart of northern Ellis County, approximately 20 minutes South Dallas and 30 minutes southeast of Fort Worth. The city is bordered by Cities of Glenn Heights, Oak Leaf, Waxahachie, Pecan Hill, Ferris, Palmer, and Lancaster. Six sub watersheds that exist within the Red Oak Creek watershed are the Headwaters Red Oak Creek watershed, the Upper Red Oak Creek watershed, the Upper Grove Creek watershed, the Lower Grove Creek watershed, the Middle Red Oak Creek watershed, and the Lower Red Oak Creek watershed. The city lies entirely within the Red Oak Creek watershed, but primarily within the Headwaters and Upper Red Oak Creek sub-watersheds. (See vicinity map, shown in figure 1.) The nearest surface water body to Red Oak is Joe Pool Lake. Little Creek borders the western portion of the City of Red Oak and many other tributaries to Red Oak Creek exist within the city. Bear Creek and Long Branch Creek borders the northeastern part of the city. Brushy Creek and Cottonwood Creek borders the southeastern portion of the city limits.

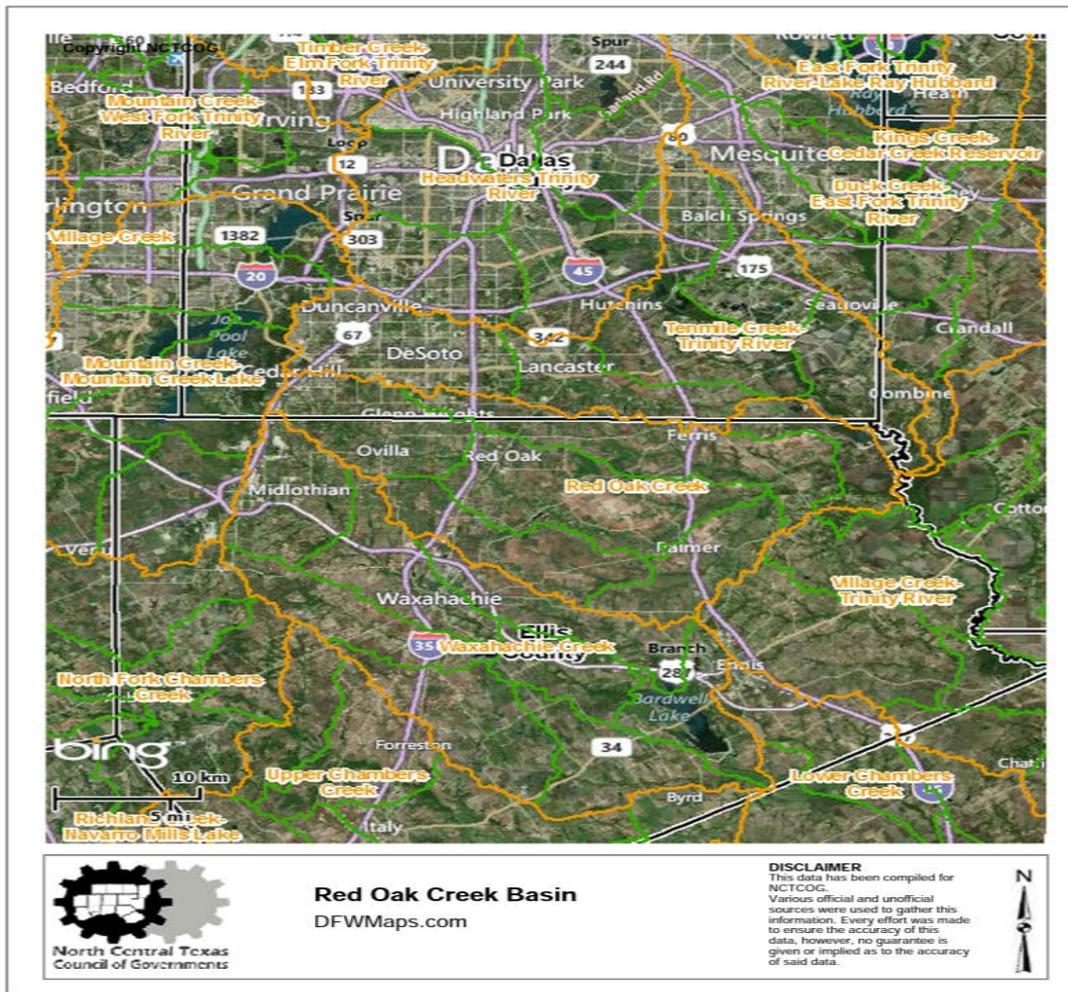


Figure 1: Vicinity Map, Red Oak Creek Watershed. Source: *dfwmaps.com*

A wide range of major soil types are found in the area. Soil types include: Austin silty clay, Whitewright and Austin soils, Broken alluvial land, Burleson clay, Eddy gravelly clay loam, Eddy soils, Frio silty clay, Gullied land, Gravel pits, Branyon clay, terrace, Houston Black clay, Heiden clay, Leson clay, Lewisville silty clay, Altoga soils, Quarry, Stephen-Eddy complex, Stephen-Eddy complex, Stephen silty clay, Ferris clay, and Trinity clay.

The area is characterized by long, hot summers and short, mild winters. The average daily minimum temperature for January is 33°F. The average maximum temperature for July is 96°F. Snowfall is not common; however, there is occasional light snow precipitation during winter. The City is moderately flat, with an elevation of approximately 550 to 605 feet. The City encompasses 14.56 square miles. The center is located at 32.525607 degrees latitude and -96.806189 degrees longitude.

B. THE RED OAK CREEK WATERSHED

The upper portion of Red Oak Creek runs from west to southeast of the city. The Red Oak Creek watershed collects much of the drainage runoff from the cities of Cedar Hill, Glenn Heights, Ovilla, Oak Leaf, DeSoto, Lancaster, Red Oak, Palmer, and Ferris. The Red Oak Creek watershed encompasses approximately 221 square miles. There are approximately 122 miles of open streams within the watershed.

Much of the Headwaters and Upper Red Oak Creek sub-watersheds is developed. The developed areas consist of the central cities of Cedar Hill, Glenn Heights, Ovilla, Red Oak, Oak Leaf, and Pecan Hill. The lower portion of the watershed is mostly undeveloped vacant land. The developed portion of the sub-watersheds in Red Oak is mostly single-family housing. Future land use for the upper portion of the sub-watershed is zoned for mixed-use development, commercial, and single-family housing. Areas southeast of the sub-watersheds are mostly agricultural. According to North Central Texas Council of Governments (NCTCOG), the current and expected rapid population growth in the City will develop this area to mixed use development, commercial, industrial and single-family housing. Cities in the Red Oak Creek and Grove Creek sub-watershed are expected to grow rapidly.

The City lies within the Blackland Prairies Ecological Area of Texas as defined by the Texas Parks and Wildlife Department (TPWD). The 1984 TPWD map of "The Vegetation Types of Texas" indicates that the City falls within the "Crops" classification. The TPWD considers the areas around Trinity River Basin to be a good wildlife habitat and provides aesthetically pleasing sites.

C. POPULATION & GROWTH

Various portions of the watersheds are developing at different rates, with the largest population growth occurring at the City. Current development in the City will mainly impact the Red Oak Creek and Grove Creek sub-watershed. By year 2030, the growth will impact the Upper and Lower Grove Creek sub-watersheds, and the Middle and Upper Red Oak Creek sub-watersheds. In accordance with the NCTCOG population projections published in 2013, the City population will increase comparatively to the surrounding cities. An expected household population growth chart comparing representative surrounding city population growth is shown in Figure 2.

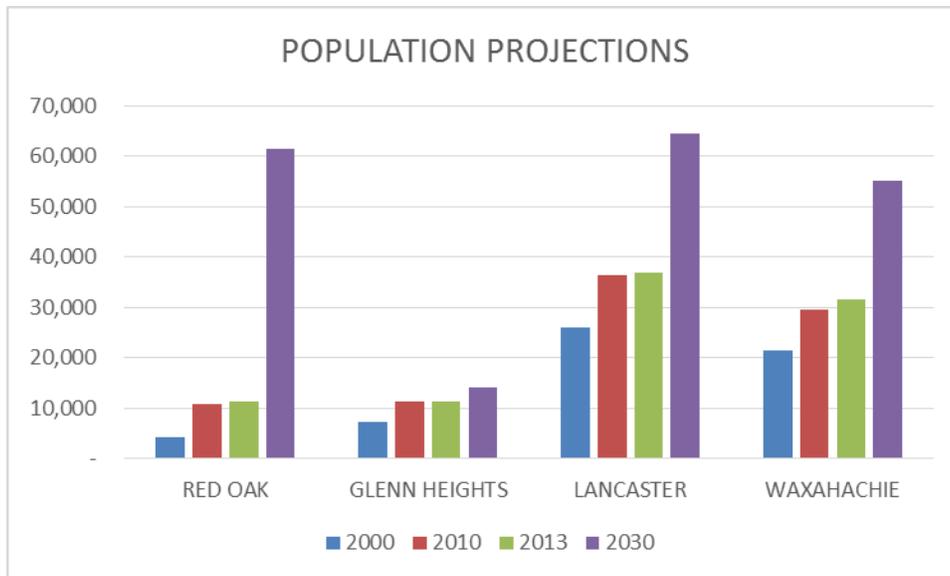


Figure 2: Household Population Growth.

Sources: 2000, 2010 - U.S. Census Bureau; 2013 - NCTCOG Annual Population Estimates; 2030 - NCTCOG 2030 Demographic Forecast, March 2004.

Cities shown in the above graph are forecasting different growth rates. NCTCOG projects the population growth rate for the City of Red Oak from 2000 to 2030 to be 1,218%. Other Cities: Lancaster, Glenn Heights, and Waxahachie are forecasted to experience growth at the rate of 154%, 107%, and 180%, respectively, between 2000 and 2030.

According to the 2010 Census, there were 10,769 people, 3,659 households, and 2,839 families residing in the City. The population density was 1,377.1/mi². There were 3,987 housing units at an average density of 509.9/mi². The racial makeup of the City was 60.1% White, 16.8% African American, 0.4% Native American, 0.5% Asian, 0.2% from other races, and 1.4% from two or more races. Hispanic or Latino of any race comprised 20.6% of the population. Approximately 33.4% of the population was under the age of 19; 5.8% was from 20 to 24 years of age; 29.7% was from 25 to 44 years of age; 22.8% was from 45 to 64 years of age; and 8.4% was 65 years of age or older. The median age was 33.0 years. 13.2 percent of the population speaks a language other than English.

II. WATER QUALITY

The major waterbody receiving urban stormwater runoff from the City is Red Oak Creek and its tributaries: Little Creek, Grove Creek, Bear Creek, Cottonwood Creek, Brushy Creek and Long Branch Creek. Further downstream, Red Oak Creek and its tributaries empty into the Trinity River Basin. Designated uses for receiving waters in the City include aquatic life, fish consumption, general, public water supply, and recreation.

The TCEQ identifies water bodies in Texas with known water quality impairments. At this time, Red Oak Creek and other streams draining portions of the City are not listed as impaired on the 2010 CWA Section 303(d) list. Information regarding each of these water bodies is provided in Table 1 below.

Table 1: Waterbody Status Table. *Source: 2010 EPA Assessment Summary Report of Impaired Waters.*

WATERBODY NAME	LOCATION	STATUS	STATE TMDL DEVELOPMENT STATUS
Red Oak Creek	Entire Segment	Good	N/A
Little Creek	Entire Segment	N/A	N/A
Grove Creek	Entire Segment	N/A	N/A
Brushy Creek	Entire Segment	N/A	N/A
Cottonwood Creek	Entire Segment	N/A	N/A
Bear Creek	Entire Segment	N/A	N/A
Long Branch Creek	Entire Segment	N/A	N/A

III. FORM OF GOVERNMENT

The City municipal government is a "council-manager" form of government. Pursuant to its provisions and subject only to the limitations imposed by the state constitution and by charter, all powers of the City shall be vested in an elective council, which enacts local legislation, adopts budgets, determines policies, and appoints the City Manager. The City Manager executes the laws and administers the government of the City.

IV. LEGAL AUTHORITY

In accordance with Local Government Code § 30.01, the City of Red Oak is a home rule municipality.

V. EXISTING PROGRAMS

The City currently has a number of programs that assist with meeting TPDES/NPDES requirements. These programs are managed and staffed in various departments throughout the City of Red Oak. The overview provided below describes the activities of each department. A number of these programs are included as existing BMP's that will be continued as part of the SWMP.

A. MULTIPLE DEPARTMENTS

The City Council by ordinance creates departments as it determines which would be in the best interest of the City and its inhabitants. The City Council has the power to pass, publish, amend, repeal, and enforce all ordinances, rules, and police regulations not contrary to the Constitution and statutes of state. The City Council does so while keeping in consideration the good government, peace, and order of the City and the trade and commerce thereof that may be necessary or proper to carry into effect the powers vested to local governments. The City departments, committees, and plans in place to benefit the City and community are as follows: Police Department, Emergency Management, Garbage and Recycling Services, Stormwater Management, Public Works/Utilities Department, Fire Department, Code Enforcement, Parks Department, Community Development, and Water Conservation and Drought Contingent Plan.

B. POLICE DEPARTMENT

The Police Department works to improve the quality of life to all members of the community by providing a safe and secure environment. Its fundamental duty is "to serve mankind; to safeguard lives and property, to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence and disorders; and to respect the Constitutional rights of all men to

liberty, equality, and justice.” The department upholds such values as: democratic values, service with fairness and respect, leading a proud mission, embrace diversity, equality, integrity, fairness and commitment to listen to all the voices in the community.

The Criminal Investigation Division (CID) of the Red Oak Police Department is responsible for all criminal investigations that occur in the City. They also assist other agencies with criminal investigations upon their request. This division also handles all types of crime scenes ranging from thefts to unexplained deaths. The CID is dedicated to serving the citizens of Red Oak.

C. EMERGENCY MANAGEMENT

The Emergency Management of the City includes the following committees and personnel: Emergency Management Committee that includes the City Manager and City Council, Emergency Management Coordinator, and Emergency Management Assistant Coordinator.

Presently, the City has an Intermediate level of preparedness. The City of Red Oak also has legal documents/ordinances establishing their own Emergency Management program. The National Incident Management System (NIMS) was adopted by City Council in September 2005. The City has been listed by the Governors Division of Emergency Management as a Primary organization. This means the City is no longer considered a part of Ellis County's interjurisdictional plan. The City of Red Oak currently has a state approved Hazardous Mitigation Action Plan (HazMAP) and is prepared to handle situations which may require activation of the Emergency Operations Center (EOC) and implementation of the Emergency Operations Plan.

D. GARBAGE AND RECYCLING SERVICES

The Garbage and Recycling Services in the City of Red Oak offers sanitation collection and recycling services through contract with a private sanitation provider. City ordinances make the following enforcements, thus maintaining the BMPs:

- Sanitary collection service is required to provide a container.
- Meddling with trash receptacles is prohibited.
- Containers are to be kept sanitary and secure.
- Unauthorized private collections are prohibited.
- Removal of building material is the responsibility of the owner or occupant of the building at his or her own expenses.
- Aerosol or paint cans are not acceptable.

E. STORMWATER MANAGEMENT

The Public Works Director is responsible for managing the city's Stormwater Management Plan (SWMP) and implementing all BMP's. Information about stormwater regulations are posted on the city website. Additionally, the city adopted stormwater related ordinances that enforces the 2008 SWMP. The following ordinances are available to the public: Post-Development Stormwater Management, and Soil Erosion and Sediment Control Ordinance No. 11-070.

F. PUBLIC WORKS/UTILITIES DEPARTMENTS

Public Works

The Public Works Department is responsible for public right-of-way (ROW) maintenance, parks, traffic, street light maintenance, ground water treatment, stormwater system, water distribution system maintenance, wastewater collection system maintenance, contractual management oversight of sanitation and yard waste collection, and construction review and inspections of public infrastructure

projects. The department provides administrative assistance to the departments of public works, parks department, planning and zoning, code and building services, information technology, and to the city's Parks and Recreation Commission.

Utilities

The Utilities Department provides operation and maintenance of the drinking water distribution system as well as the operation and maintenance of the sanitary sewer collection system, treatment and discharge of sanitary sewage, and the monitoring of waste that enters the collection system from food, commercial and industrial establishments.

G. FIRE DEPARTMENT

The members of Red Oak Fire Rescue have a shared vision of creating an organization that is recognized for exceeding the needs of the community and setting the standard of excellence in emergency services.

The mission of Red Oak Fire Rescue is to display professionalism while delivering excellent services while preserving its heritage and developing its future.

Red Oak Fire Rescue statement of values are:

- Our employees are our most valuable resource.
- Relationships with internal and external stakeholders are integral to our success.
- Reducing risk to all of our customers and employees is paramount.
- We embrace character, integrity and ethical behavior.

Red Oak Fire Rescue is dedicated to providing exceptional service to its customers. To achieve its Mission and reach its Vision of Excellence, a healthy, positive and productive work environment is essential. The members of Red Oak Fire Rescue have identified a set of core values that every member shall uphold to ensure an ideal work environment. Each and every action and decision will reflect these core values: Professionalism, Leadership, Employee Well-Being, Accountability and Teamwork.

Red Oak Fire Rescue believe the quality of life in the City of Red Oak depends on a partnership between the citizens, business community, elected officials and city employees. Red Oak Fire Rescue, as city employees, are committed to the following:

- Fire Suppression: Deliver state-of-the-art fire equipment and professional services through quality training and pre-fire planning.
- Emergency Medical Services: Deliver professional life-saving emergency medical first response.
- Technical Rescue: Increase the survivability of customers through advanced technical rescue capabilities, enhanced by Red Oak Fire Rescue's commitment to training.
- Risk Reduction: Increase the "Quality of Life" through fire prevention education, inspections and plan review.
- Emergency Management: Provide for the safety and security of its customers from natural and man-made disasters through planning, collaboration and strategic objectives, working with local, state, and federal agencies.
- Fire Administration: Provide professional leadership and visionary direction for Red Oak Fire Rescue.

H. CODE ENFORCEMENT

The Code Enforcement Officer is responsible for the public environmental health concerns of the City. Included programs are:

- The accumulations of water prohibited (Mosquito Control);
- Contaminated water control includes collection of water containing *Bacillus Coli* declared public nuisance and collection of water containing *Bacillus Coli* to be eliminated;
- Impairing of Drainage ways prohibited;
- Public toilets to be kept in sanitary condition;
- Disposal of Dead Animals;
- Neighborhood public nuisance complaints (high grass, weeds, illegal dumpsites and junk vehicles); and
- Public education and information opportunities.

A number of the on-going programs from this department assist the City in meeting NPDES/TPDES requirements. The department has developed a number of ordinances, programs and brochures to reduce littering and illegal dumping and other forms of stormwater pollution. In addition, the department holds a number of public events to educate the public and increase public participation in keeping safe and healthy.

I. PARKS DEPARTMENT

The mission of the City of Red Oak Parks Department is to "develop and maintain quality parks, including natural wooded areas to recreation facilities and programs for people of all ages, and to plan future requirements and activities to serve the year-round recreation need and interests of the community." The City's existing parks are Old Town Park and Pearson Park. These parks are maintained on a regular basis.

The Parks & Recreation Commission sponsor numerous events throughout the year, in which the public has the opportunity to learn about stormwater regulations within the city. Also, an annual "trash off" event is held every summer in which the city collects a limited amount of household hazardous wastes and bulk trash to dispose of properly.

J. COMMUNITY DEVELOPMENT

The Community Development Department encompasses several functions including building inspections, planning and zoning, and overseeing code enforcement, animal control, and facilities maintenance. The city conducts inspections of all work requiring a permit using in-house as well as contracted inspectors. The Community Development Department works with the Planning and Zoning Commission to review and approve all plats and enforce the subdivision and zoning ordinances. The following maps and plans are available for the public:

- Zoning Map
- Future Land Use Plan
- Transportation Plan
- Water Distribution System Map
- Wastewater Collection System Map
- Subdivision Ordinance
- Zoning Ordinance

MINIMUM CONTROL MEASURES

I. MCM-1 PUBLIC EDUCATION, OUTREACH, AND INVOLVEMENT

The Public Education, Outreach, and Involvement minimum control measure is intended to ensure greater public support and compliance for the stormwater management program. Specifically these efforts are to teach the public employees, business, and general public the importance of protecting stormwater quality for the benefit of the environment and human health. The role of each community member at home and at work are a particular emphasis.

A. REGULATORY REQUIREMENTS

Public Education and Outreach on Stormwater Impacts

A public education program must be developed and implemented to distribute educational materials to the community or conduct equivalent outreach activities that will be used to inform the public. The MS4 operator may determine the most appropriate sections of the population at which to direct the program. The MS4 operator must consider the following groups and the SWMP shall provide justification for any listed group that is not included in the program:

- (1) Residents;
- (2) Visitors;
- (3) Public service employees;
- (4) Businesses;
- (5) Commercial and industrial facilities; and
- (6) Construction site personnel.

The outreach must inform the public about the impacts that storm water run-off can have on water quality, hazards associated with illegal discharges and improper disposal of waste, and steps that they can take to reduce pollutants in storm water runoff.

The MS4 operator must document activities conducted and materials used to fulfill this control measure. Documentation shall be detailed enough to demonstrate the amount of resources used to address each group. This documentation shall be retained in the annual reports required in Part IV.B.2. of the general permit.

Public Involvement

The MS4 operator must, at a minimum, comply with any state and local public notice requirements when implementing a public involvement/participation program. It is recommended that the program include provisions to allow all members of the public within the small MS4 the opportunity to participate in SWMP development and implementation. Correctional facilities will not be required to implement this MCM.

B. DISCUSSIONS OF SELECTED BMPS

Implementation, activities, measurable goals, schedules, and responsible parties for existing and new BMPs are presented in Table 1.

1. STORMWATER BROCHURES

Description: The City will continue distribution of stormwater brochures targeted toward educating the general public about stormwater requirements and BMPs to reduce negative impacts to stormwater.

Measurable Goals: The City will provide and distribute these general stormwater brochures. The brochure will be distributed at City and community events and at city centers. The City will maintain a file copy of the brochure and review the information at least once a year and update as necessary. The City will record the number of brochures distributed each year.

Responsible Parties: Public Works, Community Development

2. WEBSITE

Description: The City will maintain and update the current Stormwater page on its current website. Information related to stormwater ordinances, a copy of the permit, and the revised SWMP will be posted.

Measurable Goals: The City will maintain annual updates on its stormwater page. The City will include information related to stormwater education, SWMP program contact information, and event schedules and dates, as needed. The City will advertise the webpage in brochures and print materials.

Responsible Parties: Public Works, Community Development, Information Technology

3. EVENT PARTICIPATION

Description: The City sponsors and co-sponsors special events such as the Founders Day; Downtown Christmas and Festival of Trees; Red Oak, White & Blue; Taste of Red Oak; Annual Easter Egg Hunt; Halloween Party; Trash Off; and various Library events throughout the year where information regarding stormwater can be distributed.

Measurable Goals: The City will work with the Parks Department or Library Staff to provide new exhibits and materials for relevant public events. Staff will keep a list of events attended, the materials distributed at each event, and the approximate number of attendees at each event.

Responsible Parties: Public Works, Parks, City Library

4. ANIMAL WASTE CONTROL ORDINANCE

Description: The City will enforce the existing Animal Waste Ordinance prohibiting excreta deposited by animals on public walks, public Right-of-Ways, recreational areas or private property owned by others. Violations of the ordinance will be pursued and enforced when necessary.

Measurable Goals: The City will record any complaints received, Complaints necessitating City action will be delegated to appropriate personnel. All enforcement actions associated with ordinance violations will be tracked.

Responsible Parties: Public Works, Code Enforcement, Animal Control

5. TRASH-OFF EVENT/BRUSH PICK-UP

Description: The City will encourage citizens and organizations to be involved in the annual community Trash-off Event and to participate in the monthly Brush Pick-up program. The programs will emphasize litter pick-up and maintenance of healthy vegetation.

Measurable Goals: The City will continue its annual Trash-off event and monthly Brush Pick-up program and evaluate opportunities, public receptiveness, and budgetary requirements for continued clean up events. City will record the volume of trash removed annually and number of participants.

Responsible Parties: Public Works

6. PUBLIC WORKSHOPS ON SWMP

Description: The TCEQ may require additional public workshops following submittal of the NOI and SWMP. The City will follow the procedures as required by TCEQ. Additional public participation efforts are outlined in Section 2.c. of this SWMP.

Measurable Goals: The City will record the agenda, minutes, and number of attendees for all public workshops. Official responses to public comments will be prepared.

Responsible Parties: Public Works, Community Development

7. LEGAL PUBLIC NOTICE

Description: Public notice required under Texas law will be provided when implementing SWMP provisions. This may include public hearings, notices in the local newspaper and/or the City mailer insert, or other legally required and acceptable means of providing public notice for City actions.

Measurable Goals: The City will maintain copies of Public Notices and the manner in which each was advertised.

Responsible Parties: Public Works, City Secretary

8. PUBLIC OPINION/REPORT-A-CONCERN

Description: The City of Red Oak will update and maintain its current Report-A-Concern program to allow for receipt and consideration of public comments regarding stormwater management. The City will use this information to determine how best to incorporate the public's needs and desires into the overall goals of a stormwater management program.

Measurable Goals: The City will update the procedures for receiving, considering, and tracking comments from the public for Stormwater issues as necessary. The City will document comments received and consideration made for each set of comments.

Responsible Parties: Public Works, Information Technology

TABLE 1. MCM-1 List of BMPs: Public Education, Outreach, and Involvement.

BMP ID	BMP	Activity	Measurable Goal	Due Date	Responsible Party
1	Stormwater Brochures	Continue distribution of Stormwater Brochures at city centers and public events. Review at least once per year and update as necessary.	Document the number of brochures distributed. Document updates as necessary.	Annually Annually	Public Works, Community Development
2	Website	Maintain and update current stormwater page on the City website which includes information related to stormwater education; SWMP program contact information; event schedules and dates.	Document the number of updates.	Annually, start Jan 2015	Public Works, Community Development, Information Resource
3	Event Participation	Sponsor and co-sponsor special events like Founders Day, Downtown Christmas and Festival of Trees; Red Oak, White & Blue; Taste of Red Oak; Annual Easter Egg Hunt; Halloween Party; Trash Off; and various Library events throughout the year where information regarding stormwater issues can be distributed.	Document the name and date of each event. Document approximate number of attendees, and the materials distributed at each event.	Annually, start Jan 2015, per event scheduled Annually start Jan 2015, per event scheduled	Public Works, Parks, City Library
4	Animal Waste Ordinance	Enforce existing ordinance prohibiting excreta deposited by animals on public walks, public ROWs, recreational areas or private property owned by another.	Document the number of enforcement actions.	Annually, start Jan 2015	Public Works, Code Enforcement, Animal Control
5	Trash-off Event/ Brush Pick-up	Continue annual community Trash-off Event and monthly Brush Pick-up programs. The programs will emphasize litter pick-up and maintenance of healthy vegetation.	Record the amount of trash received annually. Document the approximate number of participants.	Annually Annually	Public Works
6	Public Workshops on SWMP	Arrange public workshops following submittal of NOI and SWMP as required by TCEQ, per required procedures.	Record the agenda, minutes, and number of attendees for all public workshops. Official responses to public comment will be prepared per TCEQ.	As required by TCEQ	Public Works, Community Development

7	Legal Public Notice	Provide public notice regarding specific city actions related to stormwater that require public notice.	Document public notice.	As required by TCEQ	Public Works, City Secretary
8	Public Opinion/ Report A Concern	<p>Maintain and Update, as necessary, current Report A Concern program to allow for receipt and consideration of public comments regarding stormwater management.</p> <p>Use information to determine how best to incorporate the public's needs and desires into the overall goals of a stormwater management program.</p>	<p>As necessary, update procedures for receiving, considering, and tracking comments from the public for stormwater issues.</p> <p>Document comments received and consideration made for each set of comments.</p>	<p>Annually</p> <p>Annually, start Jan 2015</p>	Public Works, Information Technology

II. MCM-2 ILLICIT DISCHARGE DETECTION & ELIMINATION

The Illicit Discharge Detection and Elimination minimum control measure is designed to reduce pollutants in stormwater runoff through identification and elimination of illicit and or inappropriate discharges and connections to the municipal separate storm sewer system.

A. REGULATORY REQUIREMENTS

ILLICIT DISCHARGES

A section within the SWMP must be developed to establish a program to detect and eliminate illicit discharges to the small MS4. The SWMP must include the manner and process to be used to effectively prohibit illicit discharges. To the extent allowable under state and local law, an ordinance or other regulatory mechanism must be utilized to prohibit and eliminate illicit discharges. Elements must include:

- (1) Detection
The SWMP must list the techniques used for detecting illicit discharges; and
- (2) Elimination
The SWMP must include appropriate actions and, to the extent allowable under state and local law, establish enforcement procedures for removing the source of an illicit discharge.

ALLOWABLE NON-STORMWATER DISCHARGES

Non-storm water flows listed in Part II.B and Part VI.B. do not need to be considered by the MS4 operator as an illicit discharge requiring elimination unless the operator of the small MS4 or the executive director identifies the flow as a significant source of pollutants to the small MS4. In lieu of considering non-storm water sources on a case-by-case basis, the MS4 operator may develop a list of common and incidental non-storm water discharges that will not be addressed as illicit discharges requiring elimination. If developed, the listed sources must not be reasonably expected to be significant sources of pollutants either because of the nature of the discharge or the conditions that are established by the MS4 operator prior to accepting the discharge to the small MS4. If this list is developed, then all local controls and conditions established for these listed discharges must be described in the SWMP and any changes to the SWMP must be included in the annual report described in Part IV.B.2. of the general permit, and must meet the requirements of Part II.D.3. of the general permit.

STORMWATER OUTFALL MAP

A map of the storm sewer system must be developed and must include the following:

- (i) the location of all outfalls;
- (ii) The names and locations of all waters of the U.S. that receive discharges from the outfalls; and
- (iii) Any additional information needed by the permittee to implement its SWMP.

The SWMP must include the source of information used to develop the Stormwater Outfall Map, including how the outfalls are verified and how the map will be regularly updated.

B. DISCUSSIONS OF SELECTED BMPS

Implementation, activities, measurable goals, schedules, and responsible parties for existing and new BMP's are presented in Table 2.

1. STORMWATER BROCHURES

Description: The City will continue distribution of general stormwater brochures targeted toward educating the general public about stormwater requirements and BMPs to reduce negative impacts to stormwater.

Measurable Goals: The City will provide and distribute these stormwater brochures. The brochure will be distributed at City and community events and at city centers. The City will maintain a file copy of the brochure and review the information at least once a year and update as necessary. The City will record the number of brochures distributed each year.

Responsible Parties: Public Works, Community Development

2. NUISANCE ABATEMENT ORDINANCE

Description: The City will enforce the existing ordinance that prohibits the creation of nuisance conditions, including accumulation of waste/refuse and stagnant water. Violations of the ordinance will be pursued and enforced when necessary.

Measurable Goals: The City will record any nuisance complaints received, Complaints necessitating City action will be delegated to appropriate personnel. All enforcement actions associated with ordinance violations will be tracked. The eventual goal will be to reduce illicit discharges.

Responsible Parties: Public Works, Code Enforcement, Police

3. STORMWATER OUTFALL MAP

Description: To facilitate the IDDE program, the City will maintain its existing Stormwater Outfall Map. The outfall map contains the elements required under this permit including the location of all outfalls and the names and locations of all waters of the United States that receive discharges from those outfalls. (See Appendix A for Map). The sources of information used to develop and update the map includes City of Red Oak drainage maps, County drainage delineation maps, and civil plans submitted by local developers.

Measurable Goals: The Stormwater Outfall Map will be maintained at Public Works. The map will be updated as necessary to include new outfalls, potential hotspots for sanitary sewer system discharges, and other noted illicit discharge detection sites.

Responsible Parties: Public Works/Utilities

4. STORMWATER POLLUTION PREVENTION ORDINANCE

Description: The City will continue implementation of its existing ordinance that prohibits non-stormwater discharges into the storm sewer system and identifies appropriate enforcement procedures and actions for failing to comply.

Measurable Goals: The ordinance will be reviewed on an annual basis and updated as necessary. City residents and businesses will be notified of ordinance updates via the City website and other appropriate public notice measures. Inspection and enforcement procedures will be developed to help identify possible violations.

Responsible Parties: Code Enforcement, Public Works, Community Development

5.EMPLOYEE TRAINING

Description: Develop and implement a training program to educate City personnel on the identification of illicit discharges and procedures for reporting observations to appropriate personnel.

Measurable Goals: The City will identify appropriate personnel to be trained, develop training materials and implement training.

Responsible Parties: Public Works

TABLE 2. MCM-2 List of BMPs: Illicit Discharge Detection & Elimination.

BMP ID	BMP	Activity	Measurable Goal	Due Date	Responsible Party
1	Stormwater Brochures	Continue distribution of a Stormwater Brochure at city centers and public events. Review at least once per year and update as necessary.	Document the number of brochures distributed. Document the number of updates.	Annually Annually	Public Works, Community Development
9	Nuisance Abatement Ordinance	Enforce and track violations to the existing ordinance prohibiting the creation of nuisance conditions, including accumulation of waste/refuse and stagnant water.	Document and track the number of enforcement actions.	Annually	Public Works, Code Enforcement, Police
10	Stormwater Outfall Map	Maintain and utilize existing map to facilitate an IDDE program. The map will be updated as necessary to include potential hotspots for sanitary sewer system discharges and other noted illicit discharge detection sites.	Document updates to the map.	Annually	Public Works/Utilities
11	Stormwater Pollution Prevention Ordinance	Review existing ordinance annually and update as necessary. Develop and implement inspection and enforcement procedures to help identify possible violations.	Document the number of updates. Document inspections and any violations/enforcement action.	Annually, start Jan 2015 Annually, start Jan 2016	Code Enforcement, Public Works, Community Development
12	Employee Training	Educate City personnel on the identification of illicit discharge and procedures for reporting observations to appropriate personnel.	Develop training program. Implement training program and record the number of employees trained.	Dec 2015 Annually, start Jan 2016	Public Works/Utilities

III. MCM-3 CONSTRUCTION SITE STORMWATER RUNOFF CONTROL

The purpose of construction site runoff controls is to prevent soil and construction waste from entering stormwater. Sediment is usually the main pollutant of concern. During a short period of time, construction sites can contribute more sediment to creeks than can be deposited naturally over several decades. The resulting siltation and the contribution of other pollutants from construction sites can cause physical, biological, and chemical harm to local waterways.

A. REGULATORY REQUIREMENTS

The MS4 operator, to the extent allowable under State and local law, must develop, implement, and enforce a program to reduce pollutants in any storm water runoff to the small MS4 from construction activities that result in a land disturbance of greater than or equal to one acre or if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more of land. The MS4 operator is not required to develop, implement, and/or enforce a program to reduce pollutant discharges from sites where the construction site operator has obtained a waiver from permit requirements under NPDES or TPDES construction permitting requirements based on a low potential for erosion.

- (a) The program must include the development and implementation of, at a minimum, an ordinance or other regulatory mechanism to require erosion and sediment controls, as well as sanctions to ensure compliance, to the extent allowable under state and local law.
- (b) Requirements for construction site contractors to, at a minimum:
 - (1) implement appropriate erosion and sediment control BMPs; and
 - (2) Control waste such as discarded building materials, concrete truck washout water, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality.
- (c) The MS4 operator must develop procedures for:
 - (1) site plan review which incorporate consideration of potential water quality impacts;
 - (2) receipt and consideration of information submitted by the public; and
 - (3) Site inspection and enforcement of control measures to the extent allowable under state and local law.

B. DISCUSSIONS OF SELECTED BMPS

Implementation, activities, measurable goals, schedules, and responsible parties for existing and new BMP's are presented in Table 3.

1. DEVELOPMENT REVIEW COMMITTEE/PLAN REVIEW AND APPROVAL PROCEDURES

Description: The City has created a Plan Review Committee to streamline the plan review process for local developments. Meetings of the Plan Review Committee (PRC) are held as needed and representatives from the Public Works, Planning and Zoning, Police, and Fire Department attend.

Developers must submit for review civil drawings prior to each PRC meeting. The Planning and Zoning Department distributes copies of the plans to the appropriate departments for review prior to the meetings. The Public Works Director reviews the plans to ensure that proposed construction activities at sites of one acre and greater, including construction activities at sites that are part of a larger common plan of development meet the appropriate stormwater requirements including permit coverage under TCEQ (if required), the SWPPP, and appropriate BMPs. The public may provide comments prior to the PRC review by submitting

a letter to the City. In addition, the public may provide comments on proposed developments at Planning and Zoning Committee meetings or City Council Meetings.

Measurable Goals: The City will continue to hold PRC meetings to review plans for local developments. The City will document the number of reviewed projects. The PRC process will be used to identify current construction activities and develop an inspection schedule.

Responsible Parties: Public Works, Community Development, Police, Fire

2. CITIZEN COMPLAINT/ILLEGAL DUMPING

Description: The City will continue enforcing illegal dumping violations. Concerned citizens are encouraged to report any stormwater violations and file complaints regarding illegal dumping that they may observe by making a service request, calling 911, or contacting Code Enforcement/Public Works.

Measurable Goals: The City will investigate and inspect all illegal dumping complaints aiding in identifying violations of the Storm Water Protection Ordinance, such as wash out wastewater, fuels/oils, soaps/solvents, and dewatering activities, and the Texas Health and Safety Code. The City will track the number of complaints received and any enforcement action.

Responsible Parties: Public Works, Code Enforcement

3. CITY OF RED OAK DEVELOPMENT GUIDE

Description: The City currently has a Development Guide that was published in March 2007. The City will update as necessary and distribute the Development Guide to developers that request information regarding local requirements for development. The purpose of the Development Guide is:

- To provide the developers and builders with an overview of the development process;
- To provide a shared understanding of the requirements for developers within the City; and,
- To create a logical, systematic guide that eliminates redundancies and contradictions.

The guide includes information about the requirements for Stormwater Pollution Prevention as applicable to activities at sites of one acre and greater, including construction activities at sites that are part of a larger common plan of development. The City will distribute this guide and will update and modify the Stormwater section of the guide based on programmatic changes, new ordinances, and requirements adopted by the City.

Measurable Goals: The City will review the guide annually and update as necessary.

Responsible Parties: Public Works, Community Development

4. STORMWATER POLLUTION PREVENTION ORDINANCE- EROSION AND SEDIMENT CONTROL SECTION

Description: The City amended its Building Regulations Ordinance to establish a new article entitled "Soil Erosion and Sedimentation Control". The ordinance requires property owners, developers, and builders to maintain their property in such a manner as to prevent excessive erosion. The ordinance also establishes minimum requirements and procedures to control the

adverse effects of increased sedimentation and soil erosion; and provides for civil and criminal enforcement, and penalty for failure to comply.

Measurable Goals: The City will continue site inspection and enforcement procedures to implement the construction site pollution prevention program. The City will document the number of inspections completed. Any follow-up activities including enforcement will be documented and maintained by the City.

Responsible Parties: Code Enforcement, Public Works

5. STORMWATER POLLUTION PREVENTION ORDINANCE- ON-SITE WASTE CONTROL SECTION

Description: The City amended its Building Regulations Ordinance to establish a new article entitled "Soil Erosion and Sedimentation Control". The ordinance requires property owners, developers, and builders to require off-site borrow, spoil and staging areas to be constructed in a manner that will minimize the amount of sediment entering streams.

Measurable Goals: The City will continue site inspection and enforcement procedures to implement the construction site pollution prevention program. The City will document the number of inspections completed. Any follow-up activities including enforcement will be documented and maintained by the City.

Responsible Parties: Code Enforcement, Public Works

6. SITE INSPECTIONS AND ENFORCEMENT

Description: The City will continue conducting site inspections and enforcement as implementation of the construction site pollution prevention program. All construction sites requiring inspections will be inspected in accordance with the TCEQ requirements. Employees responsible for conducting site inspections will be trained and have adequate experience. Training documentation will be kept on file at the City.

Measurable Goals: The City will document the number of inspections completed and any follow-up activities including enforcement will be documented and maintained by the City.

Responsible Parties: Code Enforcement, Public Works

TABLE 3. MCM-3 List of BMPs: Construction Site Stormwater Runoff Control.

BMP ID	BMP	Activity	Measurable Goal	Due Date	Responsible Party
13	Development Review Committee/Plan Review and Approval Procedures	Continue participating in construction site plan review procedures to address potential water quality impacts.	Document the number of reviews conducted.	Annually	Public Works, Community Development, Police, Fire
14	Citizen Complaint/Illegal Dumping	Continue enforcing illegal dumping violations and investigating complaints.	Document the number of complaints received and any enforcement action.	Annually	Public Works, Code Enforcement
15	Development Guide	Update as necessary and distribute the Guide to developers that request development information.	Document the number of updates.	Annually, start Jan 2015	Public Works, Community Development
16	Stormwater Pollution Prevention Ordinance-Erosion and Sediment Control Section	Continue enforcement of ordinance requiring erosion and sediment control BMPs to prevent excessive erosion.	Document the number of inspections completed. Document the number of follow-up activities including enforcement.	Annually Annually	Code Enforcement, Public Works
17	Stormwater Pollution Prevention Ordinance- On-site Waste Control Section	Continue enforcement of ordinance requiring on-site waste control.	Document the number of inspections completed. Document the number of follow-up activities including enforcement.	Annually Annually	Code Enforcement, Public Works
18	Site Inspections and Enforcement	Continue site inspections and enforcements.	Document the number of inspections and any follow-up activities including enforcement.	Annually	Code Enforcement, Public Works

IV. MCM-4 POST-CONSTRUCTION STORMWATER MANAGEMENT IN NEW DEVELOPMENT AND REDEVELOPMENT

The Post-Construction Stormwater Management in New Development and Redevelopment minimum control measure is intended to increase the inclusion of site planning and design considerations, which will reduce runoff, and thus stormwater pollution, from developed sites.

A. REGULATORY REQUIREMENTS

Post-Construction Stormwater Management Program

1. All permittees shall develop, implement and enforce a program, to the extent allowable under state, federal, and local law, to control stormwater discharges from new development and redeveloped sites that discharge into the small MS4 that disturb one acre or more, including projects that disturb less than one acre that are part of a larger common plan of development or sale. The program must be established for private and public development sites. The program may utilize an offsite mitigation and payment in lieu of components to address this requirement.

Existing permittees shall assess program elements that were described in the previous permit, modify as necessary, to continue reducing the discharge of pollutants from the MS4 to the MEP. New elements must be fully implemented by the end of this permit term and newly regulated permittees shall have the program fully implemented by the end of the permit term.

2. All permittees shall use, to the extent allowable under state, federal, and local law and local development standards, an ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects. The permittees shall establish, implement, and enforce a requirement that owners or operators of new development and redeveloped sites design, install, implement, and maintain a combination of structural and non-structural BMPs appropriate for the community and that protects water quality. If the construction of permanent structures is not feasible due to space limitations, health and safety concerns, cost effectiveness, or highway construction codes, the permittee may propose an alternative approach to TCEQ. Newly regulated permittees shall have the program element fully implemented by the end of the permit term.

Requirements of all Permittees

All permittees shall include the requirements described below in Parts III.B.4.(b)(1)-(3).

1. All permittees shall review and update as necessary, the SWMP and MCM implementation procedures required by Part III.A.2. Any changes must be included in the annual report. Such written procedures must be maintained either on site or in the SWMP and made available for inspection by TCEQ.
2. All permittees shall document and maintain records of enforcement actions and make them available for review by the TCEQ.
3. Long-Term Maintenance of Post-Construction Stormwater Control Measures

All permittees shall, to the extent allowable under state, federal, and local law, ensure the long-term operation and maintenance of structural stormwater control measures installed through one or both of the following approaches:

- a. Maintenance performed by the permittee. See Part III.B.5
- b. Maintenance performed by the owner or operator of a new development or redeveloped site under a maintenance plan. The maintenance plan must be filed in the real property records of the county in which the property is located. The permittee shall

require the owner or operator of any new development or redeveloped site to develop and implement a maintenance plan addressing maintenance requirements for any structural control measures installed on site. The permittee shall require operation and maintenance performed is documented and retained on site, such as at the offices of the owner or operator, and made available for review by the small MS4.

Additional Requirements for Level 4 small MS4s

[NOTE: Although this section is not required of Level 2 MS4s, it is included here for future reference.]

In addition to the requirements described in Parts III.B.5(b)(1)-(3) above, permittees who operate level 4 small MS4s shall meet the following requirements:

1. Inspections - Permittees who operate level 4 small MS4s shall develop and implement an inspection program to ensure that all post construction stormwater control measures are operating correctly and are being maintained as required consistent with its applicable maintenance plan. For small MS4s with limited enforcement authority, this requirement applies to the structural controls owned and operated by the small MS4 or its contractors that perform these activities within the small MS4's regulated area.
 - a) Inspection Reports - The permittee shall document its inspection findings in an inspection report and make them available for review by the TCEQ.

B. DISCUSSIONS OF SELECTED BMPS

Implementation, activities, measurable goals, schedules, and responsible parties for existing and new BMP's are presented in Table 4.

1. DEVELOPMENT REVIEW COMMITTEE/PLAN REVIEW AND APPROVAL PROCEDURES

Description: The City has created a Plan Review Committee to streamline the plan review process for local developments. Meetings of the Plan Review Committee (PRC) are held as needed and representatives from the Public Works, Planning and Zoning, Police, and Fire Department attend.

Developers must submit for review civil drawings prior to each PRC meeting. The Planning and Zoning Department distributes copies of the plans to the appropriate departments for review prior to the meetings. The plans are reviewed to ensure that proposed construction activities at sites of one acre and greater, including construction activities at sites that are part of a larger common plan of development, meet the appropriate stormwater requirements including TPDES permit coverage (if required), SWPPP, and appropriate BMPs. The public may provide comments prior to the PRC review by submitting a letter to the City. In addition, the public may provide comments on proposed developments at Planning and Zoning Committee meetings or City Council Meetings.

Measurable Goals: The City will continue to hold PRC meetings to review plans for local developments. The City will document the number of reviewed projects. The PRC process will be used as a basis for identifying current construction activities and developing an inspection schedule.

Responsible Parties: Public Works, Community Development, Police, Fire

2. STORMWATER POLLUTION PREVENTION ORDINANCE- POST CONSTRUCTION RUNOFF CONTROL SECTION (ARTICLE 3.06)

Description: The City has adopted an ordinance, entitled “Post-Development Stormwater Management for New Development and Redevelopment”, that addresses stormwater runoff from new development and redevelopment activities at sites that create five thousand square feet (5,000 sf) or more of impervious cover or that involve land development activities of one acre or greater. The standards also apply to land development activities that are part of a larger common plan of development. The ordinance ensures that the quality and quantity of stormwater runoff leaving new development or redevelopment activities at sites of one acre or greater, including sites that are part of a larger common plan of development, meets regulatory requirements.

Measurable Goals: The City will continue enforcing the ordinance and issuing permits for applicants meeting all requirements of the ordinance. The City will document the number of permits issued and the number of inspections completed. Any follow-up activities including enforcement will be documented and maintained by the City.

Responsible Parties: Code Enforcement, Public Works

3. ADDITION OF A STORMWATER SECTION TO THE CURRENT CITY OF RED OAK STORM DRAINAGE SYSTEMS AND STORM WATER MANAGEMENT MANUAL

Description: The City has added a section to its current Storm Drainage Systems and Storm Water Management Manual that defines appropriate BMPs for construction activities that have the potential to impact stormwater quality. It includes guidance on permanent stormwater BMPs. The Plan Review Committee will maintain copies of the manual for distribution to construction operators, as necessary, during the building permit application process for new development or redevelopment activities meeting ordinance applicability.

Measurable Goals: The City will review the section annually and update as necessary.

Responsible Parties: Public Works, Community Development

TABLE 4. MCM-4 List of BMPs: Post-Construction Stormwater Management in New Development and Redevelopment.

BMP ID	BMP	Activity	Measurable Goal	Due	Responsible Party
19	Development Review Committee/Plan Review and Approval Procedures	Continue participating in construction site plan review procedures to address potential water quality impacts.	Document the number of reviews conducted.	Annually	Public Works, Community Development, Police, Fire
20	Stormwater Ordinance- Post Construction Runoff Control Section	Continue enforcing ordinance related to new development and redevelopment to require permanent stormwater quality controls and to ensure compliance and long-term O&M provisions, as required during permitting.	Document the number of permits issued and the number of inspections conducted. Document any enforcement actions.	Annually Annually	Code Enforcement, Public Works
21	Addition of a Stormwater Section to the current City of Red Oak Storm Drainage Systems and Storm Water Management Manual	Review the Stormwater Management section annually and update as necessary.	Document updates.	Annually	Public Works, Community Development

V. MCM-5 POLLUTION PREVENTION AND GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS

The purpose for the Pollution Prevention and Good Housekeeping for Municipal Operations minimum control measure is to assure that the City's delivery of public services occurs in a manner protective of stormwater quality. In this way, the City may serve as a model to the community.

A. REGULATORY REQUIREMENTS

Program Development

1. All permittees shall develop and implement an operation and maintenance program, including an employee training component that has the ultimate goal of preventing or reducing pollutant runoff from municipal activities and municipally owned areas including but not limited to park and open space maintenance; street, road, or highway maintenance; fleet and building maintenance; stormwater system maintenance; new construction and land disturbances; municipal parking lots; vehicle and equipment maintenance and storage yards; waste transfer stations; and salt/sand storage locations. Existing permittees shall assess program elements that were described in the previous permit, modify as necessary, and develop and implement new elements, as necessary, to continue reducing the discharges of pollutants from the MS4 to the MEP. New elements must be fully implemented by the end of this permit term and newly regulated permittees shall have the program fully implemented by the end of this permit term. See also Part III.A.1.(c)

Requirements of all Permittees

All permittees shall include the requirements described below in Parts III.B.5.(1)-(6) in the program:

1. Permittee-owned Facilities and Control Inventory

All permittees shall develop and maintain an inventory of facilities and stormwater controls that it owns and operates within the regulated area of the small MS4. If feasible, the inventory may include all applicable permit numbers, registration numbers, and authorizations for each facility or controls. The inventory must be available for review by TCEQ and must include, but is not limited, to the following, as applicable:

- a. Composting facilities;
- b. Equipment storage and maintenance facilities;
- c. Fuel storage facilities;
- d. Hazardous waste disposal facilities;
- e. Hazardous waste handling and transfer facilities;
- f. Incinerators;
- g. Landfills;
- h. Materials storage yards;
- i. Pesticide storage facilities;
- j. Buildings, including schools, libraries, police stations, fire stations, and office buildings;
- k. Parking lots;
- l. Golf courses;
- m. Swimming pools;
- n. Public works yards;
- o. Recycling facilities;
- p. Salt storage facilities;
- q. Solid waste handling and transfer facilities;

- r. Street repair and maintenance sites;
 - s. Vehicle storage and maintenance yards; and
 - t. Structural stormwater controls.
2. Training and Education
All permittees shall inform or train appropriate employees involved in implementing pollution prevention and good housekeeping practices. All permittees shall maintain a training attendance list for inspection by TCEQ when requested.
3. Disposal of Waste Material
Waste materials removed from the small MS4 must be disposed of in accordance with 30 TAC Chapters 330 or 335, as applicable.
4. Contractor Requirements and Oversight
- a. Any contractors hired by the permittee to perform maintenance activities on permittee-owned facilities must be contractually required to comply with all of the stormwater control measures, good housekeeping practices, and facility-specific stormwater management operating procedures described in Parts III B.5.(2)-(6).
 - b. All permittees shall provide oversight of contractor activities to ensure that contractors are using appropriate control measures and SOPs. Oversight procedures must be developed before the end of the permit term and maintained on site and made available for inspection by TCEQ.
5. Municipal Operations and Maintenance Activities
- a. Assessment of permittee-owned operations
All permittees shall evaluate operations and maintenance (O&M) activities for their potential to discharge pollutants in stormwater, including but not limited to:
 - i. Road and parking lot maintenance may include such areas as pothole repair, pavement marking, sealing, and re-paving;
 - ii. Bridge maintenance may include such areas as re-chipping, grinding, and saw cutting;
 - iii. Cold weather operations, including plowing, sanding, and application of deicing and anti-icing compounds and maintenance of snow disposal areas; and
 - iv. Right-of-way maintenance, including mowing, herbicide and pesticide application, and planting vegetation.
 - b. All permittees shall identify pollutants of concern that could be discharged from the above O&M activities (for example, metals; chlorides; hydrocarbons such as benzene, toluene, ethyl benzene, and xylenes; sediment; and trash).
 - c. All permittees shall develop and implement a set of pollution prevention measures that will reduce the discharge of pollutants in stormwater from the above activities. These pollution prevention measures may include the following examples:
 - i. Replacing materials and chemicals with more environmentally benign materials or methods;
 - ii. Changing operations to minimize the exposure or mobilization of pollutants to prevent them from entering surface waters; and
 - iii. Placing barriers around or conducting runoff away from deicing chemical storage areas to prevent discharge into surface waters.
 - d. Inspection of pollution prevention measures - All pollution prevention measures implemented at permittee-owned facilities must be visually inspected at a frequency determined by the permittee to ensure they are working properly. A log

of inspections must be maintained and made available for review by the TCEQ upon request.

6. Structural Control Measures

If BMPs include structural controls, maintenance of the controls must be performed at a frequency determined by the permittee and consistent with maintaining the effectiveness of the BMP.

Additional Requirements for Level 3 and 4 small MS4s

[NOTE: Although this section is not required of Level 2 MS4s, it is included here for future reference.]

In addition to the requirements described in Parts.B.5.(b)(1)-(6) above, permittees who operate level 3 or 4 small MS4s shall meet the following requirements:

1. Storm Sewer System Operation and Maintenance
 - a. Permittees who operate level 3 or 4 small MS4s shall develop and implement an O&M program to reduce to the maximum extent practicable the collection of pollutants in catch basins and other surface drainage structures.
 - b. Permittees who operate level 3 or 4 small MS4s shall develop a list of potential problem areas. The permittees shall identify and prioritize problem areas for increased inspection (for example, areas with recurrent illegal dumping).
2. Operation and Maintenance Program to Reduce Discharges of Pollutants from Roads
Permittees who operate level 3 or 4 small MS4s shall implement an O&M program that includes, if feasible and practicable, a street sweeping and cleaning program, or an equivalent BMP such as an inlet protection program, which must include an implementation schedule and a waste disposal procedure. The basis for the decision must be included in the SWMP. If a street sweeping and cleaning program is implemented, the permittee shall evaluate the following permittee-owned and operated areas for the program: streets, road segments, and public parking lots including, but not limited to, high traffic zones, commercial and industrial districts, sport and event venues, and plazas, as well as areas that consistently accumulate high volumes of trash, debris, and other stormwater pollutants.
 - a. Implementation schedules – If a sweeping program is implemented, the permittee shall sweep the areas in the program (for example, the streets, roads, and public parking lots) in accordance with a frequency and schedule determined in the permittee’s O&M program.
 - b. For areas where street sweeping is technically infeasible (for example, streets without curbs), the permittee shall focus implementation of other trash and litter control procedures, or provide inlet protection measures to minimize pollutant discharges to storm drains and creeks.
 - c. Sweeper Waste Material Disposal – If utilizing street sweepers, the permittee shall develop a procedure to dewater and dispose of street sweeper waste material and shall ensure that water and material will not reenter the small MS4.
3. Mapping of Facilities
Permittees who operate level 3 or 4 small MS4s shall, on a map of the area regulated under this general permit, identify where the permittee-owned and operated facilities and stormwater controls are located.
4. Facility Assessment
Permittees who operate level 3 or 4 small MS4s shall perform the following facility assessment in the regulated portion of the small MS4 operated by the permittee:

- a. Assessment of Facilities' Pollutant Discharge Potential - The permittee shall review the facilities identified in Part III.B.5.(b) once per permit term for their potential to discharge pollutants into stormwater.
 - b. Identification of *high priority* facilities - Based on the Part III.B.5.(c)(4)a. assessment, the permittee shall identify as *high priority* those facilities that have a high potential to generate stormwater pollutants and shall document this in a list of these facilities. Among the factors that must be considered in giving a facility a high priority ranking are the amount of urban pollutants stored at the site, the identification of improperly stored materials, activities that must not be performed outside (for example, changing automotive fluids, vehicle washing), proximity to waterbodies, proximity to sensitive aquifer recharge features, poor housekeeping practices, and discharge of pollutant(s) of concern to impaired water(s). High priority facilities must include, at a minimum, the permittee's maintenance yards, hazardous waste facilities, fuel storage locations, and any other facilities at which chemicals or other materials have a high potential to be discharged in stormwater.
 - c. Documentation of Assessment Results - The permittee shall document the results of the assessments and maintain copies of all site evaluation checklists used to conduct the assessments. The documentation must include the results of the permittee's initial assessment, and any identified deficiencies and corrective actions taken.
5. Development of Facility Specific SOPs
- Permittees who operate level 3 or 4 small MS4s shall develop facility specific stormwater management SOPs. The permittee may utilize existing plans or documents that may contain the following required information:
- a. For each high priority facility identified in Part III.B.5.(c)(4)b., the permittee shall develop a SOP that identifies BMPs to be installed, implemented, and maintained to minimize the discharge of pollutants in stormwater from each facility.
 - b. A hard or electronic copy of the facility-specific stormwater management SOP (or equivalent existing plan or document) must be maintained and be available for review by the TCEQ. The SOP must be kept on site when possible and must be updated as necessary.
6. Stormwater Controls for High Priority Facilities
- Permittees who operate level 3 or 4 small MS4s shall implement the following stormwater controls at all high priority facilities identified in Part III.B.5.(c)(4)b. A description of BMPs developed to comply with this requirement must be included in each facility specific SOP:
- a. General good housekeeping – Material with a potential to contribute to stormwater pollution should be sheltered from exposure to stormwater when feasible.
 - b. De-icing and anti-icing material storage - The permittee shall ensure, to the MEP, that stormwater runoff from storage piles of salt and other de-icing and anti-icing materials is not discharged; or shall ensure that any discharges from the piles are authorized under a separate discharge permit.
 - c. Fueling operations and vehicle maintenance - The permittee shall develop SOPs (or equivalent existing plans or documents) which address spill prevention and spill control at permittee-owned and operated vehicle fueling, vehicle maintenance, and bulk fuel delivery facilities.
 - d. Equipment and vehicle washing - The permittee shall develop SOPs that address equipment and vehicle washing activities at permittee-owned and operated facilities. The discharge of equipment and vehicle wash water to the small MS4 or directly to receiving waters from permittee-owned facilities is not authorized under this general

permit. To ensure that wastewater is not discharged under this general permit, the permittee's SOP may include installing a vehicle wash reclaim system, capturing and hauling the wastewater for proper disposal, connecting to sanitary sewer (where applicable and approved by local authorities), ceasing the washing activity, or applying for and obtaining a separate TPDES permit.

7. Inspections

Permittees who operate level 3 or 4 small Ms4s shall develop and implement an inspection program, which at a minimum must include periodic inspections of high priority permittee-owned facilities. The results of the inspections and observations must be documented and available for review by the TCEQ.

Additional Requirements for Level 4 Small MS4s

[NOTE: Although this section is not required of Level 2 MS4s, it is included here for future reference.]

In addition to all the requirements described in Parts III.B.5(b) and III.B.5.(c) above, permittees who operate level 4 small MS4s shall meet the following requirements:

1. Pesticide, Herbicide, and Fertilizer Application and Management

- a. Landscape maintenance - The permittee shall evaluate the materials used and activities performed on public spaces owned and operated by the permittee such as parks, schools, golf courses, easements, public rights of way, and other open spaces for pollution prevention opportunities. Maintenance activities for the turf landscaped portions of these areas may include mowing, fertilization, pesticide application, and irrigation. Typical pollutants include sediment, nutrients, hydrocarbons, pesticides, herbicides, and organic debris.
- b. The permittee shall implement the following practices to minimize landscaping-related pollutant generation with regard to public spaces owned and operated by the permittee:
 - i. Educational activities, permits, certifications, and other measures for the permittee's applicators and distributors.
 - ii. Pest management measures that encourage non-chemical solutions where feasible. Examples may include:
 1. Use of native plants or xeriscaping;
 2. Keeping clippings and leaves out the small MS4 and the street by encouraging mulching, composting, or landfilling;
 3. Limiting application of pesticides and fertilizers if precipitation is forecasted within 24 hours, or as specified in label instructions;
 4. Reducing mowing of grass to allow for greater pollutant removal, but not jeopardizing motorist safety.
- c. The permittee shall develop schedules for chemical application in public spaces owned and operated by the permittee that minimize the discharge of pollutants from the application due to irrigation and expected precipitation.
- d. The permittee shall ensure collection and proper disposal of the permittee's unused pesticides, herbicides, and fertilizers.

B. DISCUSSIONS OF SELECTED BMPS

Implementation, activities, measurable goals, schedules, and responsible parties for existing and new BMP's are presented in Table 5.

1. DITCH CLEANING/DRAINAGE SYSTEM O&M

Description: As part of its Drainage Operation and Maintenance activities, the City will continue routinely cleaning ditches and culverts, and will maintain structural controls as needed, located within the MS4, to reduce sediment and floatable materials. Staff will properly dispose of any dredged soil, accumulated sediments, and/or floatables recovered from the ditches. Any uncontaminated soils may be reused to re-establish the ditches to proper grade. The City will conduct activities to maintain proper operation of stormwater drainage, detention, and water quality features including post-construction BMPs owned, operated, and/or maintained by the City. Additional structural controls may be implemented, if appropriate and effective.

Measurable Goals: The City will clean ditches and culverts within the ROW on a regular basis. Appropriate personnel will maintain a log of O&M activities including recording the linear footage of ditches cleaned, dates of activities, and the amount of material removed.

Responsible Parties: Public Works/Utilities

2. MUNICIPAL OPERATIONS AUDIT

Description: The City operates many different kinds of facilities over a wide and varied area. In order to address the need for stormwater protection for all facilities and operations, the City will conduct a self-audit of its facilities to determine the nature of activities, identify appropriate BMPs (including structural controls), and provide for their implementation. The City will use the information to compile information regarding maintenance activities; maintenance schedules; and long-term inspection procedures for controls used to reduce floatables and other pollutants.

Measurable Goals: The City will conduct a self-audit. After completion of the audit, the City will use the results to identify and start implementing appropriate BMPs for each facility. During the fifth permit year, the City will conduct a second self-audit to determine the effectiveness of the BMPs.

Responsible Parties: Public Works

3. HAZARDOUS MATERIALS MANAGEMENT

Description: The City will develop and/or maintain an existing hazardous materials management program that minimizes the impact to water quality through the proper storage, use, and disposal of chemicals and bulk materials throughout the city and consider less toxic alternatives where appropriate.

Measurable Goals: The City will evaluate the status of the existing program procedures and document the results of the evaluation, including compiling a list of hazardous materials purchased, stored and utilized by the City. If applicable and feasible, the City will conduct research on less toxic alternatives and ensure that proper handling/storage methods are practiced; and re-evaluate the effectiveness of the current program at the end of permit term.

Responsible Parties: Public Works/Utilities, Police, Fire

4. EMPLOYEE TRAINING

Description: The City will continue implementing an employee training program regarding stormwater quality issues and good housekeeping procedures. The training program, developed in-house, will educate employees on stormwater pollution prevention requirements and best practices. The training will be targeted to employees conducting the following municipal operations:

- Park and open space maintenance;
- Street and road maintenance, fleet, and building maintenance;
- Stormwater system maintenance;
- New municipal construction and land disturbances;
- Municipal parking lots;
- Vehicle and equipment maintenance;
- Storage yards, waste transfer stations; and
- Sand/gravel storage locations.

Measurable Goals: The City will conduct annual training. The date, topics, and attendees for training sessions will be documented.

Responsible Parties: Code Enforcement, Public Works, Police, Fire, Parks Department

5. OTHER OPERATION & MAINTAINANCE (O&M) ACTIVITIES

Description: As an additional effort to reduce stormwater pollution, the City will continue implementing operation & maintenance activities such as Daily Park cleaning, ROW/median maintenance, and maintenance of public facilities. These activities will reduce the amount of pollutants and floatables from entering the MS4. Contractors hired by the City to perform any O&M activities will be required to comply with procedures for reducing pollutants.

Measurable Goals: Appropriate personnel will maintain a log of O&M activities including recording the amount of trash collected and dates of activities. As necessary, the City will provide contractor oversight and record the dates of activities and type of activity performed. Contractor training may be implemented, if appropriate and effective.

Responsible Parties: Code Enforcement, Public Works, Parks Department

TABLE 5. MCM-5 List of BMPs: Pollution Prevention and Good Housekeeping for Municipal Operations.

BMP ID	BMP	Activity	Measurable Goal	Due Date	Responsible Party
22	Ditch Cleaning/Drainage System O&M	Reduce sediment and floatable materials by routinely cleaning MS4 ditches and culverts, and maintaining structural controls. Conduct activities to maintain proper operation of stormwater drainage, detention and water quality features including post construction BMP's owned, operated and/or maintained by the City.	Maintain a log of O&M activities to include documenting the linear footage of ditches cleaned, date, and amount of material removed.	Annually	Public Works/Utilities
23	Municipal Operations Audit	Conduct a self-audit of City facilities to determine the nature of activities, identify appropriate BMP's (including structural controls), and provide for their implementation throughout the permit term. Make adjustments as necessary. Conduct a second self-audit to determine effectiveness of BMPs.	Complete a self-audit. Determine and implement appropriate BMPs, document the BMPs in place and record any changes. Complete a follow-up self-audit	Dec 2015 Dec 2017 Dec 2018	Public Works
24	Hazardous Materials Management	Develop and/or maintain an existing hazardous materials management program that minimizes the impact to water quality through the proper storage, use, and disposal of chemicals and bulk materials throughout the city and consider less toxic alternatives where appropriate.	Evaluate the status of the existing program and determine deficiencies. Prepare a hazardous material inventory. Make improvements to the program, try to reduce hazardous material and determine if less toxic materials are available and feasible for use. Re-evaluate the effectiveness of the program.	Dec 2015 Dec 2017 Dec 2018	Public Works/Utilities, Police, Fire
25	Employee Training	Continue implementing an employee training program regarding stormwater quality issues and good housekeeping procedures.	Document the number of employees trained.	Annually	Code Enforcement, Public Works/Utilities, Community Development, Police, Fire, Parks
26	Other Operation & Maintenance (O&M) Activities	Reduce the amount of pollutants and floatables entering the MS4 by activities such as daily park clean up, ROW/median maintenance and maintenance of public facilities. Contractors hired by City to perform O&M must comply with procedures for reducing pollutants.	Maintain a log of O&M activities including the amount of trash collected and dates of activities.	Annually	Code Enforcement, Public Works/Utilities, Parks

ASSESSMENT OF ALLOWABLE NON-STORM WATER DISCHARGES

In accordance with the requirements of the Phase II MS4 permit, the following non-storm water discharges will be assessed in order to determine whether they are known to be significant contributors of pollutants to the City's water bodies:

- (a) Water line flushing (excluding discharges of hyperchlorinated water, unless the water is first dechlorinated and discharges are not expected to adversely affect aquatic life);
- (b) Runoff or return flow from landscape irrigation, lawn irrigation, and other irrigation utilizing potable water, groundwater, or surface water sources;
- (c) Discharges from potable water sources;
- (d) Diverted stream flows;
- (e) Rising ground waters and springs;
- (f) Uncontaminated ground water infiltration;
- (g) Uncontaminated pumped ground water;
- (h) Foundation and footing drains;
- (i) Air conditioning condensation;
- (j) Water from crawl space pumps;
- (k) Individual residential vehicle washing;
- (l) Flows from wetlands and riparian habitats;
- (m) Dechlorinated swimming pool discharges;
- (n) Pavement and exterior building wash water conducted without the use of detergents or other chemicals; and
- (o) Discharges or flows from fire fighting activities.

Non-storm water discharges from the list above must be evaluated by the City to determine if any known, significant, water quality impacts were created as a result of the discharges. Evaluation of allowable non-storm water discharges will be conducted as part of the illicit discharge inspection BMP identified in Table 2 and detailed in Appendix A.

RECORD KEEPING AND REPORTING

The purpose of record keeping and reporting is to document successful implementation of the SWMP. Annual reports (based on fiscal year) on SWMP implementation will be required by TCEQ, and this update will be brought each year to the City Council.

I. RECORD KEEPING

Several documents are required to be kept per the TCEQ General Permit. The City shall retain the following documents for the permit period to comply with the General Permit:

- Copy of the TCEQ General Permit TXR040000;
- Records of all data used to complete the NOI;
- This SWMP shall be retained at a location accessible by TCEQ; and,
- A copy of each annual report.

Additionally, the City shall make the records, NOI, SWMP and annual reports available to the public as required in the General Permit and/or the Open Records Act. Other records shall be provided per the Open Records Act. See the General Permit for additional information regarding record keeping requirements.

II. REPORTING

The City is required to report to the TCEQ at various times. A summary of the reporting requirements is below:

A. Noncompliance Notification

According to 30 TAC § 305.125(9), any noncompliance which 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 noncompliance. A written report must be provided by the permittee to the appropriate TCEQ regional office and to the TCEQ Enforcement Division (MC-224) within five working days of becoming aware of the noncompliance. The written report must contain: (1) A description of the noncompliance and its cause; (2) The potential danger to human health or safety, or the environment; (3) The period of noncompliance, including exact dates and times; (4) If the noncompliance has not been corrected, the anticipated time it is expected to continue; and (5) Steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance, and to mitigate its adverse effects.

B. Other information

When the permittee becomes aware that it either submitted incorrect information or failed to submit complete and accurate information requested in an NOI, NOT, or NOC, or any other report, the permittee shall promptly submit the facts or information to the executive director

C. Annual Report

The MS4 operator shall submit a concise annual report to the executive director within 90 days of the end of each reporting year. For the purpose of this section, the reporting year may include either the permit year, the permittee's fiscal year or the calendar year, as elected by the small MS4 and notified to the TCEQ in the application submittal. The annual

report must address the previous reporting year. The first reporting year for annual reporting purposes shall begin on the permit effective date, and shall last for a period of one (1) year (the end of the “permit year”). Alternatively, if the permittee elects to report based on its fiscal year, the first reporting year will last until the end of the fiscal year following the end of the first permit year. If the permittee elects to report based on the calendar year, then the first reporting year will last until December 31, 2014. Subsequent calendar years will begin at the beginning of the first reporting year (which will vary based on the previous paragraph) and last for one (1) year. The MS4 operator shall also make a copy of the annual report readily available for review by TCEQ personnel upon request.

The report must include:

- a. The status of the compliance with permit conditions, an assessment of the appropriateness of the identified BMPs, progress towards achieving the statutory goal of reducing the discharge of pollutants to the MEP, the measurable goals for each of the MCMs, and an evaluation of the success of the implementation of the measurable goals;
- b. A summary of the results of information collected and analyzed, during the reporting period, including monitoring data used to assess the success of the program at reducing the discharge of pollutants to the MEP;
- c. If applicable, a summary of any activities taken to address the discharge to impaired waterbodies, including any sampling results and a summary of the small MS4s BMPs used to address the pollutant of concern;
- d. A summary of the stormwater activities the MS4 operator plans to undertake during the next reporting year;
- e. Proposed changes to the SWMP, including changes to any BMPs or any identified measurable goals that apply to the program elements;
- f. Description and schedule for implementation of additional BMP’s that may be necessary, based on monitoring results, to ensure compliance with applicable TMDLs and implementations plans;
- g. Notice that the MS4 operator is relying on another government entity to satisfy some of its permit obligations (if applicable);
- h. The number of construction activities where the small MS4 is the operator and authorized under the 7th optional MCM, including the total number of acres disturbed; and
- i. The number of construction activities that occurred within the jurisdictional area of the small MS4 (as noticed to the permittee by the construction operator), and that were not authorized under the 7th MCM.

An annual report must be prepared whether or not the NOI and SWMP have been approved by the TCEQ. If the permittee has either not implemented the SWMP or not begun to implement the SWMP because it has not received approval of the NOI and SWMP, then the annual report may include that information.

If permittees share a common SWMP, they shall contribute to and submit a single systemwide report. Each permittee shall sign and certify the annual report in accordance with 30 TAC § 305.128 (relating to Signatories to Reports).

The annual report must be submitted with the appropriate TCEQ reporting forms if available, or as otherwise approved by TCEQ.

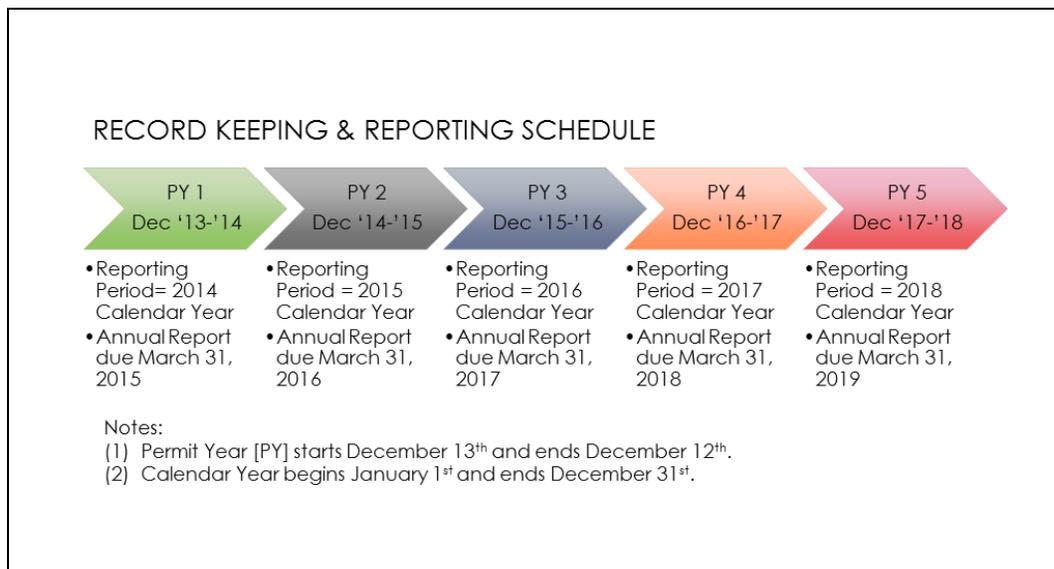
The annual report must be submitted to the following address:

Texas Commission on Environmental Quality
Stormwater & General Permits Team; MC-148
P.O. Box 13088
Austin, Texas 78711-3088

A copy of the annual report must also be submitted to the TCEQ Regional Office that serves the area of the regulated small MS4.

If available, electronic submission of annual reports is encouraged. The Federal Waste Reduction Act and the Government Paperwork Elimination Act encourages governmental agencies to use electronic submission. See the TCEQ website at, www.tceq.texas.gov for additional information and instructions.

A summary of the record keeping and reporting timeline for each permit term is as follows:



REFERENCES

Federal Register Notice (December 28, 2009). "Stakeholder Input; Stormwater Management Including Discharges From New Development and Redevelopment" (Vol. 74, No. 247, pp. 68,617-68,622).

http://www.epa.gov/npdes/regulations/fedreg_swmanagement.pdf

EPA Water Quality Assessment and TMDL Information, 303(d) List, Texas, Upper Trinity Watershed, Reporting Year 2010.

http://iaspub.epa.gov/tmdl_waters10/attains_watershed.cotrol

Texas Pollutant Discharge Elimination System General Permit No. TXR040000, General Permit to Discharge Under the Texas Pollutant Discharge Elimination System, December 13, 2013.

http://www.tceq.state.tx.us/assets/public/permitting/stormwater/txr040000_issued_permit.pdf

Title 40, Part 122 of the Code of Federal Regulations (40 CFR 122).

http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title40/40cfr122_main_02.tpl

United States Environmental Protection Agency, National Pollutant Discharge Elimination System (NPDES); National Menu for Stormwater Best Management Practices.

<http://cfpub.epa.gov/npdes/stormwater/menuofbmps/index.cfm>

APPENDIX A

