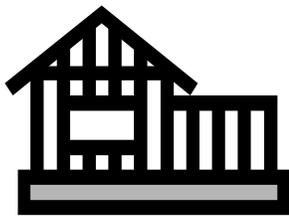


Regulations affecting YOUR Construction Activity



On March 5, 2013, the renewed Texas Pollutant Discharge Elimination System (TPDES) Construction General Permit from the Texas Commission on Environmental Quality (TCEQ) went into effect. This permit applies to waste discharges including **storm water discharges** from all construction sites that will disturb one or more acres of land, or are part of a common plan of development that in total will disturb one or more acres of land. Under the Phase II storm water regulations affecting small municipalities, the City of Carrollton is required to develop and implement a program to reduce pollutants in storm water from construction activities disturbing one or more acres of land. As part of our program, the City is requiring construction operators of sites located within city limits, to comply with the requirements of the TPDES construction permit. The following is a brief list of those requirements.

 If you are disturbing 1 or more acres of land or, are part of a common development plan that disturbs 1 or more acres of land, **you are required** to obtain a TPDES permit for storm water discharges from your construction activity.

 The TPDES permit separates construction sites into two categories: **large construction sites** that will disturb (by itself or as part of a common plan of development) 5 or more acres of land; and **small construction sites** that will disturb (alone or as part of a common plan of development) between 1 and 5 acres of land. Construction is defined as the exposure of soil resulting from activities such as clearing, grading, and excavating.

 To obtain permit coverage, **large construction sites**:

- ✓ **Must** develop a **Storm Water Pollution Prevention Plan (SWP3)** before the submittal of the NOI and implement the SWP3 prior to commencing construction activities;
- ✓ **Must** submit to the TCEQ a Notice of Intent (NOI), together with the application fee of \$325 for paper submission at least 7 days prior to commencing construction activities or \$225 for electronic submission, prior to commencing construction activities;
- ✓ **Primary and Secondary Operators Must** post a signed copy of the TPDES Construction Site Notice (CSN) in accordance with the provisions of the Permit where they are readily available for public viewing;
- ✓ **Must** provide a copy of the NOI to the City, prior to commencing construction activities.
- ✓ **Primary Operators must** submit a **Notice of Termination (NOT)** to TCEQ and a copy to the city within 30 days of meeting the conditions specified in the permit;
- ✓ **Secondary Operators must** submit a copy of the completed Site Notice to the city within 30 days of meeting the conditions for termination specified in the permit.

 To obtain permit coverage, **small construction sites**:

- ✓ **Must** develop and implement a Storm Water Pollution Prevention Plan (SWP3) prior to commencing construction activities;
- ✓ **Must** post a signed and certified copy of the TPDES CSN at the construction site where it is readily available for public viewing and;
- ✓ **Must** provide a copy of the signed construction site notice to the City prior to commencing construction activities.
- ✓ **Must** complete the applicable portion of the TPDES CSN and submit a copy to the city within 30 days after meeting the conditions specified in the permit to **terminate coverage**.
- ✓ **Small construction sites are not** required to submit a NOI **nor** pay the fee.



 The **SWP3** must identify and address all potential sources of pollution at the site, and describe and ensure implementation practices that will be used to reduce the pollutants in stormwater discharges from the site.

 If you are a homebuilder and have several lots in a subdivision, you only need to submit one NOI application for all of your lots. You can prepare your own SWP3, or be part of a general SWP3 for the whole development. In a common SWP3, individual responsibilities among all operators **must** be clearly assigned.



EROSION AND POLLUTION CONTROLS



- ☛ Control measures such as silt fences, inlet protection, etc., **must** be working properly. Not all devices will work everywhere; **you are responsible** for cleaning and replacing any device as necessary. Inlet protection must be inspected regularly and cleaned when sediment has covered the fabric. Silt fences that have fallen or are damaged in any other way must be replaced immediately. **Using only qualified personnel** to install your control measures will save you troubles in the long run.

- ☛ **You are responsible** for all the waste generated at your construction site. All waste must be placed in a trash container at all times. The container must prevent trash from being blown off the site. Trash and construction waste must be removed from the site and disposed of promptly. If your waste is deposited or blown to a creek or any other area outside your site, you are responsible for cleaning it immediately. Both onsite and offsite material storage areas and appropriate housekeeping practices must be included in your SWP3. **If you are using a nearby lot for storage of materials, you are responsible for maintaining the sediment controls in that lot, even if the lot is not your own. If your contractor unloads materials in such a lot, you are equally responsible for installing new devices or replacing existing ones.**



- ☛ You should preserve existing vegetation and limit the amount of soil exposed during construction when possible, and **must** stabilize any disturbed area where construction activity has temporarily or permanently ceased. The stabilization must be initiated no later than the end of the next work day, following the day when the earth disturbing activities have ceased. Temporary stabilization must be completed no more than 14 calendar days after initiation of soil stabilization measures, and final stabilization must be achieved prior to termination of permit coverage. Temporary stabilization includes seeding, mulching, geotextile fabric and other techniques. You must make sure that the method you are using is effective; **stabilization is not the mere application of grass seed!**



- ☛ **You are required** to minimize off site vehicle tracking of sediments and the generation of dust, including those caused by your contractors and suppliers.

- ☛ **Dewatering** is prohibited unless managed by appropriate controls.

- ☛ **It is illegal** to discharge any liquid or solid materials, including building materials, to waters of the United States, except as authorized by a permit issued under section 404 of the CWA (COE permit). Our creeks and the Trinity River are waters of the United States.



- ☛ **You** (or other qualified personnel) **are required** to inspect the site and erosion and sediment controls at a frequency specified by the permit. The SWP3 must be modified based on the results of inspections.

- ☛ If you have a temporary concrete batch plant on site, you must comply with numeric effluent limitations including sampling of storm water runoff and preparation of a Discharge Monitoring Report.

- ☛ The SWP3 is a **LIVING DOCUMENT** and it **must** reflect the changes in the site. Any modifications to the site must be documented in the SWP3.

For more information contact us at:

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Storm Water Program
972-466-3060

