



ATTENTION!



What is a SWP3?
Who needs a TPDES Permit?
What are BMP's?

- **CONTRACTORS**
- **BUILDERS**
- **DEVELOPERS**



Construction Activities could be:

- ✓ **Grading**
- ✓ **Excavation**
- ✓ **Paving**
- ✓ **Utility Installation**
- ✓ **Site Development**
- ✓ **Building Construction**

Regulations Affecting Construction Activity



On February 19, 2013, the Texas Commission on Environmental Quality (TCEQ) renewed the General Permit to discharge storm water runoff from construction sites, under the Texas Pollutant

Discharge Elimination System (TPDES). This permit applies to storm water and other discharges from construction sites. Under the Phase II storm water Regulations affecting small municipalities, Midlothian is required to develop and implement a program to reduce pollutants in storm water from construction activities disturbing one or more acres of land. The following is a brief list of the requirements.

- ✓ 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. Land disturbing construction is defined as the exposure of soil resulting from activities such as clearing, grading, and excavating.
- ✓ To apply for the permit, large construction sites;
 - Must submit to the TCEQ a Notice of Intent (NOI), together with an application fee prior to commencing construction activities;
 - Must develop and implement a Storm Water Pollution Prevention Plan (SWP3);
 - Must post a copy of the NOI at the construction site for public viewing and;
 - Must provide a copy of the NOI to the City of Midlothian, at least 2 days prior to commencing construction activities.

- ✓ To obtain permit coverage, small construction sites;
 - Must submit a TCEQ Construction Site Notice to the City at least 2 days prior to commencing construction activities.
 - Must develop and implement a Storm Water Pollution Prevention Plan (SWP3) and;
 - Must post a signed copy of the TCEQ Construction Site Notice at the construction site for public viewing;
 - Small construction sites are not required to submit a NOI or pay a fee.
- ✓ The SWP3 must identify and address all potential sources of pollution at the site, and describe and ensure control measures called Best Management Practices (BMP's) will be used to reduce pollutants in storm water discharges from the site. It is recommended that you prepare your SWP3 following the guidelines found in the iSWM™ Design Manual for Construction.



Erosion & Pollution Controls



BMP's such as silt fences and inlet protection 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 BMP's 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. If your waste is deposited or blown into 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.
- ✓ You should preserve existing vegetation when possible, and must stabilize any disturbed area where construction activity has temporarily or permanently ceased. The stabilization must take place within 14 days of the end of activities unless construction will resume within 21 days. You have several options to accomplish temporary stabilization including revegetation, sod stabilization, mulching, geotextile fabric and others. 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 offsite vehicle tracking of sediments and the generation of dust, including those caused by your contractors and suppliers.
- ✓ You (or other qualified personnel) are required to inspect the site and erosion and sediment controls at a frequency specified by the TCEQ permit. The SWP3 must be modified based on the results of inspections.

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

Thanks to Tarrant County for this information.

*KEEP
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104 West Avenue E, Midlothian, Texas 76065

For Questions: call 972-775-7199

www.midlothian.tx.us email: engineering.tx.us

Additional Resources for Developing a SWP3

- TCEQ Construction Storm Water Permit Home Page:
www.tceq.texas.gov/permitting/stormwater/wq_construction.html
- Construction Industry Compliance Assistance Center: www.cicacenter.org
- North Central Texas Council of Government iSWM™ Design Manual for Construction:
www.iswm.nctcog.org/archives-resources.asp

City of Midlothian:
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