

TPDES Construction General Permit for Stormwater Discharges

TXR150000 / Effective March 5, 2013 - 2018

1. **Basic Applicability**

- Large Construction Sites
 - Equal to or greater than 5 acres of disturbed land
 - Part of a larger common plan of development disturbing 5 or more acres
- Small Construction Sites
 - Larger than 1 acre, but less than 5 acres
 - Part of a common plan of development disturbing at least 1 but less than 5 acres
- Less than 1 acre

2. **Common Plan of Development**

- Construction activity completed in separate stages, separate phases, or in combination with other construction activities such as road or utility installation
- May include one operator or many operators
- In determining site size and applicability of requirements, operator must consider the total acreage disturbed by all operators.
 - Example:
 - A subdivision is being built. Builder 1 is grading 0.75 acres, Builder 2 is clearing 4 different acres, and Builder 3 is excavating another 0.5 acres.
 - The total area being disturbed is 5.25 acres, so each operator must follow the requirements associated with a large site disturbing 5 or more acres.
- No longer a common plan of development:
 - When less than 5 acres of the original plan remains to be developed;
AND
 - There is a clearly identifiable period of time where there is no on-going construction.

3. **Operator**

- Individual or company with operational control over the job site.
- A Primary Operator has the authority to initiate changes to the construction plans and specifications and must obtain permit coverage.
- A Secondary Operator cannot initiate changes to the plans and specifications, but may have authority to approve or disapprove changes. A Secondary Operator may obtain permit coverage for more flexibility to direct work at the site.

4. **Requirements**

- **Large Sites** – (greater than) > 5 acres
 - Read permit
 - Prepare and implement Storm Water Pollution Prevention Plan (SWP3)
 - Submit Notice of Intent (NOI) and permit application fee separately
 - Post Site Notice for large sites
 - Notify MS4 operator and comply with local ordinances, if applicable
 - Adhere to requirements of permit
 - Submit Notice of Termination (NOT) after achieving final stabilization or transferring responsibility
 - If in the Edwards Aquifer recharge, contributing, or transition zones, additional requirements may apply.
- **Small Sites** - 1 to 5 acres
 - Read permit
 - Prepare and implement SWP3
 - Adhere to requirements of permit
 - Post Site Notice for small sites
 - Notify MS4 operator and comply with local ordinances, if applicable
- **Less than one acre**
 - Notify MS4 operator and comply with local ordinances, if applicable
 - Install and maintain appropriate BMPs
 - Avoid creating nuisance condition
 - Can still be cited by the TCEQ or local government authority under Texas Water Code Chapter 26.121 for unauthorized discharge