





<p>c. Is the discharge or potential discharge from regulated construction activities within the Recharge Zone, Contributing Zone, or Contributing zone within the Transition zone of the Edwards Aquifer?      Yes      No</p> <p>If the answer is “Yes”, please note that a copy of the agency approved Plan required by the Edwards Aquifer Rule (30 TAC Chapter 213) must be either included or referenced in the construction storm water pollution prevention plan(s).</p>	
<p>6. Discharge Information</p>	
<p>a. What is the name of the receiving water body(s) from the MS4?</p>	
<p>b. What is the classified segment(s) that receives discharges, directly or indirectly, from the small MS4?</p>	
<p>c. Are any of the surface water bodies receiving discharges from the small MS4 on the latest EPA-approved CWA § 303(d) list of impaired waters?      Yes      No</p> <p>If Yes, what is the name of the impaired water body(s) receiving the discharges from the small MS4?</p>	
<p>d. Is the discharge into any other MS4 prior to discharge into surface water in the state?      Yes      No</p> <p>If Yes, what is the name of the MS4 Operator?</p>	
<p>7. Edwards Aquifer</p>	
<p>Is the discharge or potential discharge from the MS4 within the Recharge Zone, Contributing Zone, or Contributing Zone within the Transition Zone of the Edwards Aquifer?      Yes      No</p> <p>If the answer is Yes, please note that a copy of the agency approved Plan required by the Edwards Aquifer Rule (30 TAC Chapter 213) for activities also regulated under this general permit must be either included or referenced in the SWMP.</p>	
<p>8. Public Participation Process</p>	
<p>The Office of Chief Clerk will send the operator or person responsible for publishing notice, the notice of the executive director’s preliminary determination of the NOI and SWMP, for publishing in a newspaper of largest circulation in the county where the small MS4 is located. If multiple counties, notice must be published at least once in the newspaper of largest circulation in the county containing the largest resident population.</p> <p>The applicant must file with the Chief Clerk a copy of an affidavit of the publication within 60 days of receiving the written instructions from the Office of Chief Clerk.</p>	
<p>a. I will comply with the Public Participation requirements described in Part II.D.12 of the general permit.      Yes      No</p> <p>If No, coverage under this general permit is not obtainable.</p>	
<p>b. Who is the person responsible for publishing notice of the executive director’s preliminary determination on the NOI and SWMP? (Note: All contact information requested below is required.)</p>	
Name:	Title:      Company:
Address:	Suite No./Bldg. No./Mail Code:
City:	State:      ZIP Code:
Phone No.: (      )	Extension:
Fax No.: (      )	E-mail Address:
<p>c. What is the name and location of the public location where copies of the NOI and SWMP, as well as the executive director’s general permit and fact sheet, may be viewed?</p>	
<p>Name of Public Place:</p>	
<p>Address of Public Place:</p>	
<p>County of Public Place:</p>	



Did you complete everything? Use this checklist to be sure!

Are you ready to mail your form to TCEQ? Go to the General Information Section of the Instructions for mailing addresses.

Customer GP Notice of Intent Checklist <b>TXR040000</b>	
√	This checklist is for use by the operator to ensure a complete application. Missing information may result in denial of coverage under the permit. (See NOI Process description in the Instructions)
	Application Fee was paid through EPAY and payment voucher is attached or the Payment Submittal Form with payment was mailed to TCEQ Cashier's office. DO NOT MAIL THE PAYMENT WITH THE ORIGINAL NOI.  <b>Note: Use ePay to pay the application fee. It helps to streamline processing of your application.</b>
	OPERATOR INFORMATION - Confirm each item is complete: √ Customer Number (CN) issued by TCEQ Central Registry Operator Mailing Address is complete & verifiable with USPS. <a href="http://www.usps.com">www.usps.com</a> Phone Numbers/E-mail Address Type of Operator (Entity Type) Number of Employees
	Billing Address is complete & verifiable with USPS. <a href="http://www.usps.com">www.usps.com</a>
	REGULATED ENTITY (RE) INFORMATION ON PROJECT OR SITE - Confirm each item is complete: √ MS4 Name/Regulated Entity Name Site Description Latitude and Longitude <a href="http://www.tceq.texas.gov/gis/drghelp.html#Latlong">www.tceq.texas.gov/gis/drghelp.html#Latlong</a> or <a href="http://www.terraserver.com/">http://www.terraserver.com/</a> . Business description Site Mailing Address (checked same as operator or provided a complete & USPS verifiable address. <a href="http://www.usps.com">www.usps.com</a> )
	GENERAL CHARACTERISTICS - Confirm each item is complete: √ Indian Country Lands –the facility is not on Indian Country Lands Standard Industrial Classification (SIC) code <a href="http://www.osha.gov/oshstats/sicser.html">www.osha.gov/oshstats/sicser.html</a> Qualifying TCEQ “Designated” Small MS4 Minimum Control Measure (MCM) for Municipal Construction Activities Discharge Information (receiving water body, segment no., impaired water body(s) and MS4 Operator) Edwards Aquifer Rule Public Participation Information
	CERTIFICATION Certification statements have been checked indicating “Yes” Signature meets 30 Texas Administrative Code (TAC) §305.44 and is original and has been provided for the Operator.
	Storm Water Management Program (SWMP) and completed SWMP Cover Sheet are attached to the NOI.

## Storm Water Management Program (SWMP) Cover Sheet

### Confirm Each Minimum Control Measure (MCM) Below is Included in the SWMP

This cover sheet **MUST** be completed by indicating the page number where the requested item will be found in the SWMP. Provide the page number in the left column for each item.

This cover sheet **MUST** be attached to the front of the SWMP.

**Operator Name on NOI:**

Page # (s)	MCM 1: Public Education and Outreach on Storm Water Quality Issues
	<p>SWMP includes the following required elements:</p> <ol style="list-style-type: none"> <li>1. Educational materials are distributed to the community, or equivalent public outreach is conducted.</li> <li>2. The following groups are included in the program, or the SWMP provides justification if the group is not included: residents, visitors, public service employees, businesses, commercial and industrial facilities, and construction site personnel.</li> <li>3. Outreach informs groups about impacts storm water can have on water quality, hazards associated with illegal discharges, and steps they can take to reduce pollutants in storm water runoff.</li> </ol>
	<p>SWMP Lists Best Management Practices (BMPs) used to fulfill this MCM. Examples of possible BMPs include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Classroom Education</li> <li><input type="checkbox"/> Use of media</li> <li><input type="checkbox"/> Education/Outreach for Commercial Activities</li> <li><input type="checkbox"/> Lawn and garden activities</li> <li><input type="checkbox"/> Promotional giveaways</li> <li><input type="checkbox"/> Water conservation practices for homeowners</li> <li><input type="checkbox"/> Outreach programs tailored to specific communities and children</li> <li><input type="checkbox"/> Storm water educational materials</li> <li><input type="checkbox"/> Educational displays, pamphlets, booklets, and utility staffers</li> <li><input type="checkbox"/> Webpage</li> <li><input type="checkbox"/> Storm drain stenciling</li> <li><input type="checkbox"/> Speakers to community groups</li> <li><input type="checkbox"/> Encouragement of proper lawn and garden care</li> <li><input type="checkbox"/> Encouragement of low impact development</li> <li><input type="checkbox"/> Support of pollution prevention for businesses</li> <li><input type="checkbox"/> Encouragement of water conservation practices</li> <li><input type="checkbox"/> Encouragement of pet waste management</li> <li><input type="checkbox"/> Storm water hotlines</li> </ul>
	SWMP includes measurable goals, and the method of measurement, for addressing storm water quality.
	SWMP has been fully implemented, or includes a schedule of implementation not to exceed five (5) years from permit issuance date.
Page # (s)	MCM 2: Public Involvement/Participation
	SWMP includes a program that complies with State and local public notice requirements.
	<p>SWMP lists BMPs used to fulfill this MCM. Examples of possible BMPs may include the following:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Stakeholder meetings</li> <li><input type="checkbox"/> Community hotline</li> <li><input type="checkbox"/> Coordination with school groups/scouting</li> <li><input type="checkbox"/> Listserver</li> <li><input type="checkbox"/> Stream cleanup and monitoring</li> <li><input type="checkbox"/> Adopt-A-Stream programs</li> <li><input type="checkbox"/> Incentives for businesses to participate, such as web links</li> </ul>

	<ul style="list-style-type: none"> <li><input type="checkbox"/> Volunteer monitoring</li> <li><input type="checkbox"/> Watershed Organization</li> <li><input type="checkbox"/> Storm drain stenciling programs</li> <li><input type="checkbox"/> Advisory/partner committees</li> <li><input type="checkbox"/> Mailing list development and use</li> <li><input type="checkbox"/> Reforestation programs</li> <li><input type="checkbox"/> Wetland plantings</li> <li><input type="checkbox"/> Coordinate volunteer programs</li> </ul>
	SWMP includes measurable goals, and the method of measurement, for addressing storm water quality.
	SWMP has been fully implemented, or includes a schedule of implementation not to exceed five (5) years from permit issuance date.
<b>Page # (s)</b>	<b>MCM 3: Illicit Discharge Detection and Elimination</b>
	<p>SWMP includes the following required elements:</p> <ol style="list-style-type: none"> <li>1. Description of program that will be used to detect and eliminate illicit discharges</li> <li>2. Description of the manner and process to be used to effectively prohibit illicit discharges, including, at a minimum: <ol style="list-style-type: none"> <li>a. List of detection techniques</li> <li>b. Appropriate actions and enforcement procedures for removing the source of an illicit discharge</li> <li>c. To the extent allowable under state and local law, an ordinance or other regulatory mechanism is utilized to prohibit and eliminate illicit discharges</li> <li>d. Description of local controls and conditions established for common and incidental non-storm water discharges that the operator does not consider illicit</li> </ol> </li> <li>3. Map of outfalls included or described in schedule, with following information: <ol style="list-style-type: none"> <li>a. Locations of all outfalls</li> <li>b. Names and locations of waters of the U.S. receiving discharges from the MS4</li> <li>c. Source(s) of information used to develop and update map</li> </ol> </li> </ol>
	<p>SWMP Lists BMPs used to fulfill this MCM. Examples of possible BMPs may include the following:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> List of non-storm water discharges that will not be considered illicit</li> <li><input type="checkbox"/> Procedures to address illegal dumping</li> <li><input type="checkbox"/> Hazardous materials disposal opportunities</li> <li><input type="checkbox"/> Industrial / Business connections</li> <li><input type="checkbox"/> Addressing wastewater connections to MS4</li> <li><input type="checkbox"/> Addressing recreational sewage (boats/camping/etc.)</li> <li><input type="checkbox"/> System inspections</li> <li><input type="checkbox"/> Dye testing</li> <li><input type="checkbox"/> Recycling programs</li> <li><input type="checkbox"/> Informing public/employees/businesses of hazards associated with illicit discharges</li> <li><input type="checkbox"/> Identification of illicit discharges</li> <li><input type="checkbox"/> Used oil collection centers</li> <li><input type="checkbox"/> Public outreach and education programs regarding illicit discharges</li> <li><input type="checkbox"/> Publicize and facilitate public reporting</li> </ul>
	SWMP includes measurable goals, and the method of measurement, for addressing storm water quality.
	SWMP has been fully implemented, or includes a schedule of implementation not to exceed five (5) years from permit issuance date.
<b>Page # (s)</b>	<b>MCM 4: Construction Site Storm Water Runoff Control</b>
	<p>SWMP includes the following required elements listed below:</p> <ol style="list-style-type: none"> <li>1. Description of program that will be developed, implemented and enforced, to address storm water runoff from construction one acre and greater (including larger common plan)</li> <li>2. Ordinance or other regulatory mechanism to require erosion and sediment controls, to the extent allowable under state and local law <ol style="list-style-type: none"> <li>a. Ordinance/regulatory mechanism includes sanctions to ensure compliance, to the extent allowable under state and local law</li> <li>b. Program requires contractors to implement erosion and sediment control BMPs</li> </ol> </li> </ol>

	<ul style="list-style-type: none"> <li>c. Program requires contractors to control construction site waste</li> <li>3. Procedures for site plan review to consider water quality impacts</li> <li>4. Procedures for receipt and consideration of input from the public</li> <li>5. Procedures for site inspection and enforcement of control measures, to the extent allowable under state and local law</li> </ul>
	<p>SWMP lists BMPs used to fulfill this MCM. Examples may include:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Requirement to comply with TPDES CGP</li> <li><input type="checkbox"/> Notification to discharger of responsibilities under TPDES CGP</li> <li><input type="checkbox"/> Hire staff to review construction site plans</li> <li><input type="checkbox"/> Provide a web page for public input on construction activities</li> <li><input type="checkbox"/> Require overall construction site waste management</li> <li><input type="checkbox"/> Perform site inspections and enforcement</li> <li><input type="checkbox"/> Provide education and training for construction site operators</li> <li><input type="checkbox"/> Notify dischargers of requirement to obtain TPDES permit coverage</li> <li><input type="checkbox"/> Mechanism to prohibit discharges into MS4 where necessary</li> </ul>
	SWMP includes measurable goals, and the method of measurement, for addressing storm water quality.
	SWMP includes measurable goals, and the method of measurement, for addressing storm water quality.
	SWMP has been fully implemented, or includes a schedule of implementation not to exceed five (5) years from permit issuance date.
<b>Page # (s)</b>	<b>MCM 5: Post-Construction Storm Water Management in Areas of New Development and Redevelopment</b>
	<p>SWMP includes the following required elements listed below:</p> <ol style="list-style-type: none"> <li>1. SWMP describes program that will be developed, implemented and enforced, to address storm water runoff from new development / redevelopment activities of one acre and greater (including larger common plan)</li> <li>2. Program ensures controls are in place to address runoff</li> <li>3. Strategies include structural and/or non-structural BMPs appropriate for the community</li> <li>4. Ordinance or other regulatory mechanism is in place or planned which will regulate discharges from new development and redevelopment projects</li> <li>5. Long term operation and maintenance of BMPs is addressed</li> </ol>
	<p>SWMP lists BMPs used to fulfill this MCM. Examples may include:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Local ordinance in place or planned</li> <li><input type="checkbox"/> Guidance document for developers to utilize</li> <li><input type="checkbox"/> Specific BMPs established for particular watersheds</li> <li><input type="checkbox"/> List of appropriate BMPs provided to operators</li> <li><input type="checkbox"/> Elimination of curbs and gutters is encouraged</li> <li><input type="checkbox"/> Zoning takes into account storm water issues</li> <li><input type="checkbox"/> Incentives for use of permeable choices, such as porous pavement</li> <li><input type="checkbox"/> Requirements for wet ponds or other BMPs for certain size sites</li> <li><input type="checkbox"/> Xeriscaping</li> </ul>
	SWMP includes measurable goals, and the method of measurement, for addressing storm water quality.
	SWMP has been fully implemented, or includes a schedule of implementation not to exceed five (5) years from permit issuance date.
<b>Page # (s)</b>	<b>MCM 6: Pollution Prevention / Good Housekeeping Measures for Municipal Operations</b>
	<p>SWMP includes the following required elements listed below:</p> <ol style="list-style-type: none"> <li>1. Operation and maintenance (O&amp;M) program in place or scheduled, to reduce/prevent pollution from municipal operations</li> <li>2. Housekeeping measures and BMPs that will reduce pollutants have been identified</li> <li>3. Training provided for employees involved in municipal operations subject to the housekeeping/BMP requirements</li> <li>4. Maintenance of structural BMPs (if applicable) is performed <ol style="list-style-type: none"> <li>a. SWMP lists maintenance schedules for structural BMPs (if applicable)</li> <li>b. SWMP lists long term inspection procedures to reduce floatables</li> </ol> </li> </ol>

	<p>5. Waste is removed from MS4 and properly disposed</p> <p>a. Procedures for waste disposal are included for dredge spoil, accumulated sediment, and floatables</p> <p>6. List of municipal operations subject to O&amp;M program or training program</p> <p>7. List of municipally owned industrial activities subject to TPDES industrial storm water regulations</p>
	<p>SWMP lists BMPs used to fulfill this MCM. Examples may include:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> BMPs which address fleet vehicle maintenance/washing</li> <li><input type="checkbox"/> BMPs which address parking lot and street cleaning</li> <li><input type="checkbox"/> Catch basin and storm drain system cleaning</li> <li><input type="checkbox"/> Landscaping and lawn care (e.g. xeriscaping)</li> <li><input type="checkbox"/> Waste materials management</li> <li><input type="checkbox"/> Road salt application and storage practices</li> <li><input type="checkbox"/> Used oil recycling</li> <li><input type="checkbox"/> Pest management practices</li> <li><input type="checkbox"/> Fire training facilities</li> <li><input type="checkbox"/> BMPs which address roadway and bridge maintenance</li> <li><input type="checkbox"/> Golf course maintenance/waste disposal</li> <li><input type="checkbox"/> Disposal of cigarette butts</li> <li><input type="checkbox"/> Park maintenance (e.g., providing trash bags)</li> </ul>
	SWMP includes measurable goals, and the method of measurement, for addressing storm water quality.
	SWMP has been fully implemented, or includes a schedule of implementation not to exceed five (5) years from permit issuance date.
<b>Page # (s)</b>	<p><b>Optional 7th MCM :</b> Municipal Construction Activities (only available within the regulated area where the MS4 operator meets the definition of construction site operator)</p> <p>If this MCM is utilized applicable, SWMP must include the following information:</p>
	Description of how construction activities will generally be conducted so as to take into consideration local conditions of weather, soils, and other site specific considerations
	Description of the area that this MCM will address and where the MS4 operator's construction activities are covered (e.g. within the boundary of the urbanized area, the corporate boundary, a special district boundary, an extra territorial jurisdiction, or other similar jurisdictional boundary)
	If the area included in this MCM includes areas outside of the UA, then all MCMs will be implemented over those additional areas as well.
	<p>Description provided for one of the following:</p> <ul style="list-style-type: none"> <li>▶ How contractor activities will be supervised or overseen to ensure that the SWP3 requirements are properly implemented at the construction site(s); or</li> <li>▶ How the MS4 operator will make certain that contractors have a separate authorization for storm water discharges if needed.</li> </ul>
	General description of how a construction SWP3 will be developed for each construction site.

# Notice of Intent (NOI) for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (MS4) under the TPDES Phase II MS4 General Permit (TXR040000)

## General Information and Instructions

### GENERAL INFORMATION

Where to Send the Notice of Intent (NOI) and SWMP, and other related forms:

**Note: One (1) copy of the NOI and SWMP must be submitted with the original NOI and SWMP.**

BY REGULAR U.S. MAIL

Texas Commission on Environmental Quality  
Applications Review & Processing Team (MC148)  
P.O. Box 13087  
Austin, TX 78711-3087

BY OVERNIGHT/EXPRESS MAIL

Texas Commission on Environmental Quality  
Applications Review & Processing Team (MC148)  
12100 Park 35 Circle  
Austin, TX 78753

TCEQ Contact list:

Application Processing Questions relating to the status and form requirements:	512/239-4671
Technical Questions relating to the SWMP, MCM and general permit:	512/239-4671 or <a href="mailto:swgp@tceq.state.tx.us">swgp@tceq.state.tx.us</a>
Environmental Law Division:	512/239-0600
Records Management for obtaining copies of forms submitted to TCEQ:	512/239-0900
Information Services for obtaining reports from program data bases (as available):	512/239-DATA (3282)
Financial Administration's Cashier's office:	512/239-0357 or 512/239-0187

#### Notice of Intent Process:

When your NOI and SWMP is received by the program, the form will be processed as follows:

- 1. Administrative Review:** Each item on the form will be reviewed for a complete response. In addition, the operator's legal name must be verified with Texas Secretary of State as valid and active (if applicable). The address(s) on the form must be verified with the US Postal service as an address receiving regular mail delivery. Never give an overnight/express mailing address.
- 2. Notice of Deficiency:** If an item is incomplete or not verifiable as indicated above, a notice of deficiency (NOD) will be mailed to the operator. The operator will have 30 days to respond to the NOD. The response will be reviewed for completeness.
- 3. Technical Review of SWMP:** More information may be requested by phone or technical NOD letter mailed to the SWMP contact. The executive director's preliminary determination on the NOI and SWMP will be prepared and filed with the TCEQ Chief Clerk.
- 4. Public Participation Process:** The TCEQ Chief Clerk will mail written instructions for publishing the executive director's preliminary determination on the NOI and SWMP at least once in the newspaper of largest circulation in the county where the small MS4 is located. If applicable, a public meeting may be held.
- 5. Acknowledgment of Coverage:** An Acknowledgment Certificate will be mailed to the operator. This certificate acknowledges coverage under the general permit. The approval may be made with conditions.

-or-

**Denial of Coverage:** Coverage may be denied if the operator fails to respond to any NOD, the NOD response is inadequate, or finds the NOI and SWMP do not meet the requirements of this general permit. The operator will be notified.

#### General Permit (Your Permit)

Coverage under the general permit begins upon approval by the TCEQ. You should have a copy of your general permit when submitting your application. You may view and print your permit for which you are seeking coverage, on the TCEQ web site [www.tceq.texas.gov](http://www.tceq.texas.gov).

#### General Permit Forms

The Notice of Intent (NOI), Notice of Termination (NOT), and Notice of Change (NOC) with instructions are available in Adobe Acrobat PDF format on the TCEQ web site [www.tceq.texas.gov](http://www.tceq.texas.gov).

#### Change in Operator

An authorization under the general permit is not transferable. If the operator of the regulated entity changes, the present permittee must submit a Notice of Termination and the new operator must submit a Notice of Intent. The NOT and NOI must be submitted no later than 10 days prior to the change in Operator status.

### TCEQ Central Registry Core Data Form

The Core Data Form has been incorporated into this form. **Do not send a core data form to TCEQ.**

After final acknowledgment of coverage under the general permit, the program will assign a Customer Number (CN) and Regulated Entity Number (RN). For MS4 Permits, a new RN will be assigned for each Notice of Intent filed with TCEQ, since the MS4 boundaries can overlap with other Customers. The RN assigned to the MS4 will not be assigned to any other TCEQ authorization.

You can find the information on the Central Registry web site at [www12.tceq.texas.gov/crpub/](http://www12.tceq.texas.gov/crpub/). You can search by the Regulated Entity (RN), Customer Number (CN) or Name (Permittee), or by your permit number under the search field labeled "Additional ID". Capitalize all letters in the permit number.

The Customer (Permittee) is responsible for providing consistent information to the TCEQ, and for updating all CN and RN data for all authorizations as changes occur.

For General Permits, a Notice of Change meeting signatory requirements must be submitted to the program area as required in the general permit.

### Fees are associated with a General Permit

The general permit refers to two different fees that apply to the operator submitting a Notice of Intent (NOI) and authorized under the General Permit. Payment of the fees may be made by check or money order, payable to TCEQ, or through EPAY (electronic payment) through the web).

#### Fees:

**1. Application Fee:** This fee is required to be paid at the time the NOI is submitted. Failure to submit payment at the time the application is filed will cause delays in acknowledgment or denial of coverage under the general permit.

- **Mailed Payments:**

Payment must be mailed under separate cover at one of the addresses below using the attached Application Fee submittal form. **(DO NOT SEND A COPY OF THE NOI WITH THE APPLICATION FEE SUBMITTAL FORM)**

**BY REGULAR U.S. MAIL**

Texas Commission on Environmental Quality  
Financial Administration Division  
Cashier's Office, MC-214  
P.O. Box 13088  
Austin, TX 78711-3088

**BY OVERNIGHT/EXPRESS MAIL**

Texas Commission on Environmental Quality  
Financial Administration Division  
Cashier's Office, MC-214  
12100 Park 35 Circle  
Austin, TX 78753

- **ePAY Electronic Payment:**

Go to [www.tceq.state.tx.us/epay](http://www.tceq.state.tx.us/epay)

When making the payment you must select Water Quality, then select the fee category "General Permit Wastewater Discharge Application". You must include a copy of the payment voucher with your NOI. Your NOI will not be considered complete without the payment voucher.

**2. Annual Water Quality Fee:** This fee is assessed to operators with an active authorization under the general permit on September 1 of each year. The operator will receive an invoice for payment of the annual fee in December of each year. The payment will be due 30 days from the invoice date. A 5% penalty will be assessed if the payment is received by TCEQ after the due date. Annual fee assessments cannot be waived as long as the authorization under the general permit is active on September 1. It's important for the operator to submit a Notice of Termination (NOT) when coverage under the general permit is no longer required. A NOT is effective on the postmarked date of mailing the form to TCEQ. It is recommended that the NOT be mailed using a method that documents the date mailed and received by TCEQ.

- **Mailed Payments:**

You must return your payment with the billing coupon provided with the billing statement.

- **ePAY Electronic Payment:**

Go to <https://www6.tceq.texas.gov/epay/>

You must enter your account number provided at the top portion of your billing statement.

Payment methods include American Express, Mastercard, Visa, and electronic check payment (ACH).

## INSTRUCTIONS FOR FILLING OUT THE NOI FORM

### A. OPERATOR (As defined in the general permit.)

#### 1. TCEQ Issued Customer Number (CN)

TCEQ's Central Registry will assign each customer a number that begins with "CN," followed by nine digits. **This is not a permit number**, registration number, or license number.

- If this customer has not been assigned a Customer Reference Number, leave the space for the Customer Reference Number blank.
- If this customer has already been assigned this number, enter the operator's Customer Reference Number in the space provided.

#### 2. Legal Name

Provide the legal name of the MS4 operator, as authorized to do business in Texas. The name must be provided exactly as filed with the Texas Secretary of State (SOS), or on other legal documents forming the entity, that is filed in the county where doing business. You may contact the SOS at 512/463-5555, for more information related to filing in Texas. If filed in the county where doing business, provide a copy of the legal documents showing the legal name.

#### 3. Operator Mailing Address

Provide a complete mailing address for receiving mail from the TCEQ. The address must be verifiable with the US Postal Service at [www.usps.com](http://www.usps.com), for regular mail delivery (not overnight express mail). If you find that the address is not verifiable using the USPS web search, please indicate the address is used by the USPS for regular mail delivery.

#### Country Mailing Information

If this address is outside the United States, enter the territory name, country code, and any non-ZIP mailing codes or other non-U.S. Postal Service features here. If this address is inside the United States, leave these spaces blank.

#### 4. Phone Number

This number should correspond to this customer's mailing address given earlier. Enter the area code and phone number here. Leave "Extension" blank if this customer's phone system lacks this feature.

#### 5. Fax Number and E-mail Address

This number and E-mail address should correspond to operator's mailing address provided earlier. (Optional Information)

#### 6. Type of Entity

Check only one box that identifies the type of entity.

Government- Federal, state, county, or city government (as appropriate)

the customer is either an agency of one of these levels of government or the governmental body itself.

#### 7. Number of Employees

Check one box to show the number of employees for this customer's entire company, at all locations. This is not necessarily the number of employees at the site named in the NOI.

### B. Billing Address

An annual fee is assessed to each operator holding an active authorization under the general permit on September 1 of each year. Provide the complete mailing address where the annual fee invoice should be mailed. Verify the address with the USPS. It must be an address for delivery of regular mail, not overnight express mail. Also, provide a phone number of the operator's representative responsible for payment of the invoice.

#### Country Mailing Information

If this address is outside the United States, enter the territory name, country code, and any non-ZIP mailing codes or other non-U.S. Postal Service features here. If this address is inside the United States, leave these spaces blank.

### C. REGULATED ENTITY (RE) INFORMATION ON PROJECT OR SITE

1. Regulated Entity Reference Number (RN) is issued by TCEQ's Central Registry to sites (a location where a regulated activity occurs) regulated by TCEQ.

A new regulated entity number is assigned by Central Registry for each new MS4 Notice of Intent since the area under control of the operator may overlap with other regulated entities. This RN will be assigned during administrative review of the Notice of Intent.

#### 2. Site Name/Regulated Entity

Provide the name of the MS4 operation as known by the public in the area where the MS4 is located. The name you provide on this application will be used in the TCEQ Central Registry as the Regulated Entity.

#### 3. Describe the boundaries of the regulated portion of the small MS4.

4. Name the county where the largest residential population exists within the MS4's regulated boundaries. If the regulated area falls within additional counties, provide the county names as secondary.

#### 5. Latitude and Longitude

The Latitude and Longitude must be the approximate center of the regulated portion of the small MS4. Enter the latitude and longitude of the site in either degrees, minutes, and seconds or decimal form. For help obtaining the latitude and longitude, go to: [www.tceq.texas.gov/gis/drghelp.html#Latlong](http://www.tceq.texas.gov/gis/drghelp.html#Latlong) or <http://www.terraserver.com/>.

<b>SITE MAILING ADDRESS</b>
Provide a complete mailing address to be used by TCEQ for receiving mail. In most cases, the address is the same as the operator. If so, simply place a check mark in the box. If you provide a different address, please verify the address with USPS as instructed above for the operator address.
<b>D. GENERAL CHARACTERISTICS</b>
<p><b>1. Indian Country Lands</b>          If your site is located on Indian Country Lands, the TCEQ does not have authority to process your application. You must obtain authorization through EPA, Region VI, Dallas. Do not submit this form to TCEQ.</p> <p>Indian Country means (1) all land within the limits of any American Indian reservation under the jurisdiction of the U.S. government, notwithstanding the issuance of any patent, and including rights-of-way running throughout the reservation; (2) all dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or outside the limits of a State; and (3) all Indian allotments, the Indian titles which have not been extinguished, including rights-of-way running through the same.</p> <p>Indian Tribe means any Indian Tribe, band, nation, or community recognized by the Secretary of the Interior and exercising substantial governmental duties and powers.</p>
<p><b>2. Standard Industrial Classification (SIC) code</b>          Provide the SIC code that best describes the operator's primary business. Common SIC Codes are provided below. For help with SIC codes, go to: <a href="http://www.osha.gov/oshstats/sicser.html">www.osha.gov/oshstats/sicser.html</a></p> <p>9111, Executive offices (such as for a city, county, etc.)          8221, Colleges, Universities, and Professional Schools          8222, Junior Colleges and Technical Institutes          9621, Regulation and Administration of Transportation Programs          4111, Local and Suburban Transit          4952, Sewerage Systems          4971, Irrigation Systems          9223, Correctional Institutions          9511, Air and Water Resource and Solid Waste Management (including flood control, drainage development, etc.)</p>
<p><b>3. TCEQ "Designated" small MS4</b>          A small MS4 that is outside of urbanized area that is "designated" by TCEQ is eligible for coverage under this general permit. The small MS4 Operator must obtain authorization under this general permit or apply for coverage under an individual TPDES storm water permit within 180 days of notification of their designation.</p> <p>Source for a list of Urbanized Area (UA) maps in Texas, and the list of populations of cities and counties within the UAs:  <a href="http://cfpub1.epa.gov/npdes/stormwater/urbanmapresult.cfm?state=TX">http://cfpub1.epa.gov/npdes/stormwater/urbanmapresult.cfm?state=TX</a></p>
<p><b>4. SWMP</b></p> <p>a. The NOI must include the SWMP when submitted to TCEQ for processing, and the Operator is required to certify the SWMP has been developed according to the general permit. Also, the SWMP Cover Sheet must be completed and placed to the front of the SWMP. When completing the SWMP Cover Sheet, be sure to enter the page number and/or page range for each item under an MCM.</p> <p>b. The general permit requires the name, address, phone number and fax number of the designated person responsible for implementing or coordinating implementation of the SWMP. All information is required with the exception of email, however, this information is desired.</p> <p>Changes to the SWMP may require TCEQ approval. Changes must be submitted by Notice of Change to the same address as the NOI. The Notice of Change will with either be automatically approved or additional information may be requested before approval.</p>
<p><b>5. 7<sup>th</sup> Minimum Control Measure (MCM)</b></p> <p>a. Indicate if the municipality is seeking coverage under this general permit for municipal construction activities where the municipality meets the definition of "construction site operator".</p> <p>b. If authorization for municipal construction activities is proposed in this NOI the developed MCM must be included with the SWMP and the NOI must include a description of the boundaries covered in the MCM. The area included for this MCM must include only the regulated MS4 area; or it may include additional areas of the MS4 if all other MCMs are implemented over the additional area as well.</p> <p>This coverage may be obtained after the original NOI is approved. This may be accomplished by submitting a Notice of Change that includes the developed MCM and a description of the proposed municipal construction activity boundaries addressed in the MCM. <b>If the MS4 operator proposes to include additional areas outside of the regulated MS4, then the Notice of Change must also indicate that the MS4 operator will implement the entire SWMP over the additional areas.</b></p> <p>c. If the discharge or potential discharge from regulated construction activities is within the Recharge Zone, Contributing Zone, or Contributing Zone within the Transition Zone of the Edwards Aquifer, then additional requirements may exist under the Edwards Aquifer Protection Program (30 TAC Chapter 213). For construction activities that will be regulated under TXR040000, the approved Contributing Zone Plan or Water Pollution Abatement</p>

Plan must be included or referenced as part of the construction site storm water pollution prevention plan. For other activities regulated under 30 TAC Chapter 213, information must be included in the SWMP. Compliance with any Edwards Aquifer requirements is required in addition to the requirements of this general permit.

#### 6. Discharge Information

a. The storm water may be discharged directly to a receiving stream or through another **MS4\*** from your MS4. It eventually reaches a receiving water body such as a local stream or lake, possibly via a drainage ditch. You must provide the name of the surface water body that receives the discharge from the site (a local stream or lake). Please note that this general permit does not grant permission to use another MS4 as a conveyance of storm water and certain non-storm water discharges along the discharge route.

b. Identify the classified segment number(s) receiving a discharge directly or indirectly. Go to the link to find the segment number of the classified water body where wastewater will flow <http://www.tceq.texas.gov/compliance/monitoring/water/quality/data/wqm/viewer/viewer.html>.

c. Identify any surface water bodies receiving discharges from the small MS4 that are on the latest EPA-approved CWA § 303(d) list of impaired waters.

EPA approved CWA 303d list of impaired waters can be found at:

[http://www.tceq.texas.gov/compliance/monitoring/water/quality/data/wqm/305\\_303.html](http://www.tceq.texas.gov/compliance/monitoring/water/quality/data/wqm/305_303.html)

d. Identify the **MS4\*** Operator name if the storm water discharge is into an MS4.

**\*MS4 is an acronym for Municipal separate storm sewer system. MS4 is defined as a separate storm sewer system owned or operated by a state, city, town, county, district, association, or other public body (created by or pursuant to state law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under state law such as a sewer district, flood control or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, that discharges to water in the state.**

For assistance, you may call the technical staff of the Water Quality Assessment & Standards Section at 512/239-4671.

#### 7. Edwards Aquifer Rule

See maps on the TCEQ website to determine if the site is located within the Recharge Zone, Contributing Zone, or Contributing Zone within the Transition Zone of the Edwards Aquifer at [http://www.tceq.texas.gov/compliance/field\\_ops/eapp/viewer.html](http://www.tceq.texas.gov/compliance/field_ops/eapp/viewer.html).

If the discharge or potential discharge is within the Recharge Zone, Contributing Zone, or Contributing Zone within the Transition Zone of the Edwards Aquifer, then additional requirements may exist under the Edwards Aquifer Protection Program (30 TAC Chapter 213). For activities regulated under 30 TAC Chapter 213, any required plans must be included in the SWMP. Compliance with any Edwards Aquifer requirements is required in addition to the requirements of this general permit.

#### 8. Public Participation

The applicant must indicate on the NOI that it will comply with the public participation requirements described in Part II.D.12 of the general permit. The person responsible for receiving the information from the TCEQ Chief Clerk for publishing in the newspaper must be identified and all contact information must be provided.

After review of the NOI and SWMP is complete, the Office of Chief Clerk will mail the Executive Director's preliminary determination to the contact provided in the NOI for publishing in the newspaper of largest circulation in the county of the small MS4.

The comment period begins on the first date the notice is published and ends 30 days later, unless a public meeting is held. If a public meeting is held it will end at the closing of the public meeting.

The applicant must 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 Office of Chief Clerk.

If significant public interest exists, the executive director will direct the applicant to publish notice of the meeting and to hold the public meeting. The applicant must publish the notice of public meeting at least 30 days prior to the public meeting and hold the meeting in the county where the MS4 is located.

#### E. CERTIFICATIONS

Failure to indicate "Yes" to ALL of the certification items may result in denial of coverage under the general permit.

The certification must bear an original signature of a person meeting the signatory requirements specified under 30 Texas Administrative Code (TAC) §305.44.

#### IF YOU ARE A CORPORATION:

The regulation that controls who may sign an NOI or similar form is 30 Texas Administrative Code §305.44(a)(1) (see below). According to this code provision, any corporate representative may sign an NOI or similar form so long as the authority to sign such a document has been delegated to that person in accordance with corporate procedures. By signing the NOI or similar form, you are certifying that such authority has been delegated to you. The TCEQ may request documentation evidencing such authority.

**IF YOU ARE A MUNICIPALITY OR OTHER GOVERNMENT ENTITY:**

The regulation that controls who may sign an NOI or similar form is 30 Texas Administrative Code §305.44(a)(3) (see below). According to this code provision, only a ranking elected official or principal executive officer may sign an NOI or similar form. Persons such as the City Mayor or County Commissioner will be considered ranking elected officials. In order to identify the principal executive officer of your government entity, it may be beneficial to consult your city charter, county or city ordinances, or the Texas statute(s) under which your government entity was formed. An NOI or similar document that is signed by a government official who is not a ranking elected official or principal executive officer does not conform to §305.44(a)(3). The signatory requirement may not be delegated to a government representative other than those identified in the regulation. By signing the NOI or similar form, you are certifying that you are either a ranking elected official or principal executive officer as required by the administrative code. Documentation demonstrating your position as a ranking elected official or principal executive officer may be requested by the TCEQ.

If you have any questions or need additional information concerning the signatory requirements discussed above, please contact the Texas Commission on Environmental Quality's Environmental Law Division at 512/239-0600.

**30 Texas Administrative Code  
§305.44. Signatories to Applications.**

(a) All applications shall be signed as follows.

(1) For a corporation, the application shall be signed by a responsible corporate officer. For purposes of this paragraph, a responsible corporate officer means a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures. Corporate procedures governing authority to sign permit or post-closure order applications may provide for assignment or delegation to applicable corporate positions rather than to specific individuals.

(2) For a partnership or sole proprietorship, the application shall be signed by a general partner or the proprietor, respectively.

(3) For a municipality, state, federal, or other public agency, the application shall be signed by either a principal executive officer or a ranking elected official. For purposes of this paragraph, a principal executive officer of a federal agency includes the chief executive officer of the agency, or a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., regional administrator of the EPA).

**Texas Commission on Environmental Quality  
General Permit Payment Submittal Form**

**DO NOT SEND THE ORIGINAL or COPY OF NOI WITH PAYMENT FORM**

Use this form to submit your Application Fee only if you are mailing your payment.

- Complete items 1 through 5 below:
- Staple your check in the space provided at the bottom of this document.
- Do not mail this form with your NOI form.
- Do not mail this form to the same address as your NOI.

**Mail this form and your check to:**

BY REGULAR U.S. MAIL

Texas Commission on Environmental Quality  
Financial Administration Division  
Cashier's Office, MC-214  
P.O. Box 13088  
Austin, TX 78711-3088

BY OVERNIGHT/EXPRESS MAIL

Texas Commission on Environmental Quality  
Financial Administration Division  
Cashier's Office, MC-214  
12100 Park 35 Circle  
Austin, TX 78753

Fee Code: **GPA**

General Permit: TXR040000

1. Check / Money Order No:

2. Amount of Check/Money Order:

3. Date of Check or Money Order:

4. Name on Check or Money Order:

5. NOI INFORMATION

If the check is for more than one NOI, list each Project/Site (RE) Name and Physical Address exactly as provided on the NOI. **DO NOT SUBMIT A COPY OF THE NOI WITH THIS FORM AS IT COULD CAUSE DUPLICATE PERMIT ENTRIES.**

See Attached List of Sites (If more space is needed, you may attach a list.)

Project/Site (RE) Name:

Project/Site (RE) Physical Address:

**Staple Check In This Space**