



# TXDOT MS4 PERMIT ANNUAL REPORT

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# Texas Commission on Environmental Quality

P.O. Box 13087, Austin, Texas 78711-3087



## PERMIT TO DISCHARGE UNDER THE TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM

under provisions of  
402 of the Clean Water Act  
and Chapter 26 of the Texas Water Code

PERMIT No. WQ0005011000

Texas Department of Transportation  
125 E. 11<sup>th</sup> Street  
Austin, Texas 78701-2409

is authorized to discharge from the Texas Department of Transportation (TxDOT) Municipal Separate Storm Sewer System (MS4) (SIC 9621)

including all regulated areas, except for any agricultural lands, located within the TxDOT Right-of Ways (ROWs) throughout the State of Texas served by, or otherwise contributing to discharges to the MS4s owned or operated by the permittee, located within the urbanized areas (UAs) and within previous TxDOT Phase I MS4 areas in the TxDOT districts listed in Attachment 1

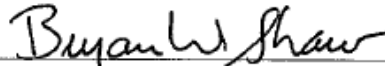
via the regulated MS4 to various ditches and tributaries that eventually reach water bodies listed in Attachment 2

only according to conditions set forth in this permit, as well as the rules of the Texas Commission on Environmental Quality (TCEQ), the laws of the State of Texas, and other orders of the TCEQ. The issuance of this permit does not grant to the permittee the right to use private or public property for conveyance of stormwater and certain non-stormwater discharges along the discharge routes for the regulated MS4 area described in this permit. This includes, but is not limited to, property belonging to any individual, partnership, corporation or other entity. Neither does this permit authorize any invasion of personal rights nor any violation of federal, state, or local laws or regulations. It is the responsibility of the permittee to acquire property rights as may be necessary to use the discharge routes.

This permit shall expire at midnight, five years from the date of issuance.

EFFECTIVE DATE: NOV 30 2016

ISSUED DATE: 11-30-16

  
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For the Commission

# TxDOT Statewide Permit

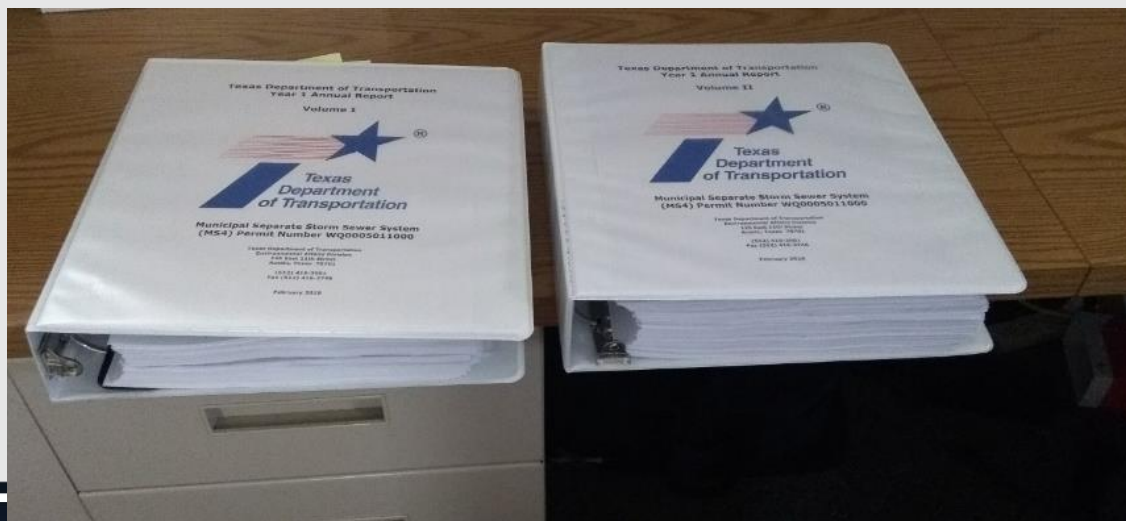
- Statewide Permit = MS4 regulated area, not all roads in the state
- Streamlined 34 permits into 1 statewide permit
- Simplifies reporting (1 report per year vs. 34)
- Standardizes statewide SWMP specific to TxDOT operations
- Develop fiscally responsible program
- Focuses where TxDOT has authority and influence
  - No ordinance development capability
  - Limited legal authority, only within ROW

# How is Statewide Permit different?

- Modeled after Phase II Permit
  - Includes requirements from Phase I permits
  - Anti-backsliding
  - Includes new Phase II areas from 2010 census
- Focus on programmatic enhancements for IDDE
- Facility inspections
- Mapping permanent controls
- Enhanced TMDL requirements
- Enhanced training requirements

# 1<sup>st</sup> Year MS4 Annual Reporting Highlights

- First time we have seen statewide MS4 data in one place/time
  - 1,078 pages, 2 volume set
  - 2/3 was old permit reporting
  - <http://www.txdot.gov/inside-txdot/division/environmental/swmp.html>
- Pulled from statewide databases, limited to MS4 area only, when possible
  - MMS/Compass data
  - DMWT
  - AAH



# What are we Required to Report?

- 5 MCMs
  - Public Education/Outreach, IDDE, Construction, Post-Construction, Good Housekeeping
- Impaired Water Bodies
- Edwards Aquifer
- Reporting on 79 BMPs

# 1<sup>st</sup> Year MS4 Annual Reporting Highlights

- 1.3.1 - DMWT Program
- 1.3.2 - "Adopt-a-Highway" Program
- 1.3.3 - "Texas Trash-Off" Program
- 1.3.5 - TxDOT's Webpages
- 1.3.6 - Education of Construction Site Personnel
- 2.3.3-MS4 Areas Mapping
- 2.3.4-Education and Training
- 2.3.5 - Public Reporting of Illicit Discharges and Spills
- 2.3.6-Spill Prevention and Response
- 2.3.7-Source Investigation and Elimination
- 2.3.8-Inspections
- 2.3.9.a - Overflows and Infiltration
- 2.3.9.e. - Dry Weather Inspections
- 2.3.9.f - Wet Weather Program
- 2.3.10.a-Spill Prevention and Response
- 3.3.3-Erosion and Sediment Control
- 3.3.5-Construction Plan Review Procedures
- 3.3.6-Construction Site Inspections and Enforcement
- 5.3.2.a - TxDOT-Owned Facilities and Control Inventory
- 5.3.4-Disposal of Waste Material
- 5.3.5-Contractor Requirements and Oversight
- 5.3.6.a-Roadway Operation and Maintenance Activities
- 5.3.7.a- Structural Control Maintenance
- 5.3.8a- Pesticide, Herbicide, and Fertilizer Application and Management
- 6.3.2-Evaluation of Water Quality
- 6.3.3-Floatables
- 7.3.1 -Discharges to Water Quality Impaired Water Bodies with an Approved TMDL
- 7.3.2-Discharges Directly to Water Quality Impaired Water Bodies Without an Approved TMDL
- 10.1 - Point of Discharge Mapping
- 10.2 - Major Structural Control Mapping

# 1<sup>st</sup> Year MS4 Annual Reporting Highlights

- 1.3.1 - DMWT Program
- 1.3.2 - "Adopt-a-Highway" Program
- 1.3.3 - "Texas Trash-Off" Program
- 1.3.4-"Texas Highways Magazine"
- 1.3.5 - TxDOT's Webpages
- 1.3.6 - Education of Construction Site Personnel
- 1.3.7 - Education of Herbicide Application Personnel



# 1<sup>st</sup> Year MS4 Annual Reporting Highlights

- 2.3.2 - Update List of Allowable Non-Stormwater Discharges
- 2.3.3 - MS4 Areas Mapping
- 2.3.4 - Education and Training
- 2.3.5 - Public Reporting of Illicit Discharges and Spills
- 2.3.6 - Spill Prevention and Response
- 2.3.7 - Source Investigation and Elimination
- 2.3.8 - Inspections
- 2.3.9.a - Overflows and Infiltration
- 2.3.9.b - List of Dischargers
- 2.3.9.c - Hazardous Waste and Used Motor Vehicle Fluids
- 2.3.9.d - Identification of Priority Areas
- 2.3.9.e. - Dry Weather Inspections
- 2.3.9.f - Wet Weather Program
- 2.3.10.a - Spill Prevention and Response
- 2.3.10.b - Agency coordination

# 1<sup>st</sup> Year MS4 Annual Reporting Highlights

- 3.3.3 - Erosion and Sediment Control
- 3.3.4 - Prohibited Discharges
- 3.3.5 - Construction Plan Review Procedures
- 3.3.6 - Construction Site Inspections and Enforcement
- 3.3.7 - Information submitted by the Public
- 3.3.8 - MS4 Staff Training
- 3.3.9.a - List of Sites
- 3.3.9.b - Education and Training

# 1<sup>st</sup> Year MS4 Annual Reporting Highlights

- 4.3.2 -Ordinances and Other Regulatory Mechanisms
- 4.3.4 -Documentation and Records
- 4.3.5-Long-term Operation and Maintenance
- 5.3.2.a - TxDOT-Owned Facilities and Control Inventory
- 5.3.3-Training and Education
- 5.3.4-Disposal of Waste Material
- 5.3.5-Contractor Requirements and Oversight
- 5.3.6.a-Roadway Operation and Maintenance Activities
- 5.3.7.a- Structural Control Maintenance
- 5.3.8a- Pesticide, Herbicide, and Fertilizer Application and Management

# 1<sup>st</sup> Year MS4 Annual Reporting Highlights

- 6.3.1-Dry Weather Screening
- 6.3.2-Evaluation of Water Quality
- 6.3.3-Floatables
- 7.3.1 -Discharges to Water Quality Impaired Water Bodies with an Approved TMDL
- 7.3.2-Discharges Directly to Water Quality Impaired Water Bodies Without an Approved TMDL
- 8.3.1 - TxDOT Agency Approved WPAPs
- 9.1 -Expenditures
- 10.1 - Point of Discharge Mapping
- 10.2 - Major Structural Control Mapping

# 1<sup>st</sup> Year MS4 Annual Reporting Highlights

MCM	Measurable Goal	Success	
1.3.1 - DMWT Program	Record the number of TV and radio ads, social media views, outdoor events, and billboards. Include costs.	Number of TV Ads:	259
		TV Ad Cost:	\$ 87,728
		Number of Radio Ads:	6,161
		Radio Ads Cost:	\$ 483,906
		Social Media Views:	16,597,692
		Social Media Cost:	\$ 169,246
		Outdoor Activities Hosted:	3
		Outdoor Activities Cost:	\$ 412,175
		Billboards:	20
		Billboard Cost:	\$ 295,000

# 1<sup>st</sup> Year MS4 Annual Reporting Highlights

1.3.5 - TxDOT's Webpages	Number of views from these web pages.	TxDOT Wepage Views:	968,383
		DMWT Webpage Views:	105,280
		ENV Webpage Views:	6,758
		Stormwater Webpage Views:	971

# 1<sup>st</sup> Year MS4 Annual Reporting Highlights

- Summary of Houston District
  - Maintenance of structural controls \$11,884,611
  - 10 Illicit Discharges
  - NOIs

# 1<sup>st</sup> Year MS4 Annual Reporting Highlights

511 - ROW Mowing	Acres	12,569	\$ 404,720
513 - Spot Mowing	Hours	23	\$ 5,915
520 - Illegal Dumping Clean up	Acres	32	\$ 1,323
521 - Litter Removal	Acres	27,832	\$ 328,176
522 - Mechanical Sweeping	Miles	8,181	\$ 780,928
523 - Debris Removal	Miles	17,464	\$ 291,836
524 - Spot Litter	Acres	435	\$ 45,443
525 - Adopt-a-Highway	Hours	150	\$ 12,349
527 - Hand Sweeping	Square Yards	32,511	\$ 14,377
540 - Hand Vegetation Control	Hours	39	\$ 5,344
541 - Chemical Vegetation Control, Edges	Acres	547	\$ 73,808
548 - Seeding	Square Yards	1,299	\$ 608
551 - Landscape Maintenance	Acres	22	\$ 2,323
552 - Tree and Brush Control	Miles	176	\$ 72,694
561 - Cleaning Ditches	Cubic Yards	5,971	\$ 127,756
562 - Ditch Reshaping	Linear Feet	114,868	\$ 175,450
563 - Slope Repair/Stabilization	Square Yards	744	\$ 31,905
570 - Culvert and Storm Drain Maintenance	Each	6,396	\$ 420,551
620 - Bridge Channel Maintenance	Cubic Yards	897	\$ 126,057
830 - Hazard Material Clean Up, Spills or Leaking Storage Tanks	Hours	27	\$ 4,151
831 - Hazardous Material Clean up, Abandoned Materials	Hours	8	\$ 658
<b>Total</b>			<b>\$2,926,373</b>



# 1<sup>st</sup> Year MS4 Annual Reporting Highlights

Attachment CC	
Annual Cost Spent on the TxDOT Stormwater Program*	
Contracted Work Authorizations	\$ 672,899
Costs reported in SWMP BMPs:	
Don't Mess With Texas Program	\$ 1,448,055
Structural Controls Maintenance	\$ 14,179,896
MMS/Compass Data (see Attachment F)	\$ 23,929,353
Annual Reporting Staff Time:	
Division	\$ 15,529
District	\$ 30,529
Program Implementation Staff Time:	
Division	\$ 271,250
District	\$ 184,000
DEQC 2448s completed	\$ 46,442
<b>Total Program Cost</b>	<b>\$ 40,777,953</b>

\* This total Program Cost only includes amount spent towards MS4 Program as described in the TxDOT SWMP, and is not inclusive of the Construction General Permit or any other permits.

# 1<sup>st</sup> Year MS4 Annual Reporting Highlights

- Not receiving non-TxDOT NOIs consistently across state.
- Tools development
  - NOI electronic submittal
  - <http://www.txdot.gov/inside-txdot/division/environmental/ms4-noi.html>

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# TMDL Requirements

1. Assess if the MS4 area draining to an impaired water body has the potential to cause or contribute to the impairment.
2. Targeted controls – ID areas for focused effort
3. Measurable goals
4. ID benchmarks
5. Analysis of effectiveness of selected BMPs

# Water Bodies Without an Approved TMDL

- Year 1 = Determine if TxDOT is a source of the POC
- Year 2 = If yes, focused BMPs and measurable goals
- Year 3 = Amend SWMP to include additional BMPs
- Year 4 = Provide summary in annual report

# TMDL Requirements – Permit Language

## (5) Impairment for Bacteria

If the POC is bacteria, the permittee shall include focused BMPs addressing the below areas, as applicable, in the SWMP and implement as appropriate. If a TMDL Implementation Plan (I-Plan) is available, the permittee may refer to the I-Plan for appropriate BMPs. The SWMP and annual report must include the selected BMPs. The permittee may not exclude BMPs associated with the minimum control measures required under 40 CFR §122.34 from its list of proposed BMPs. Proposed BMPs will be reviewed by the executive director during the SWMP review and approval process.

The BMPs shall, as appropriate, address the following:

- a. Sanitary Sewer Systems;
- b. On-site Sewage Facilities;
- c. Illicit Discharges and Dumping from septic systems, grease traps, grit traps, or other sources; and
- d. Animal Sources such as pet waste from rest areas.