

# STATE AND LOCAL STORM WATER REGULATIONS

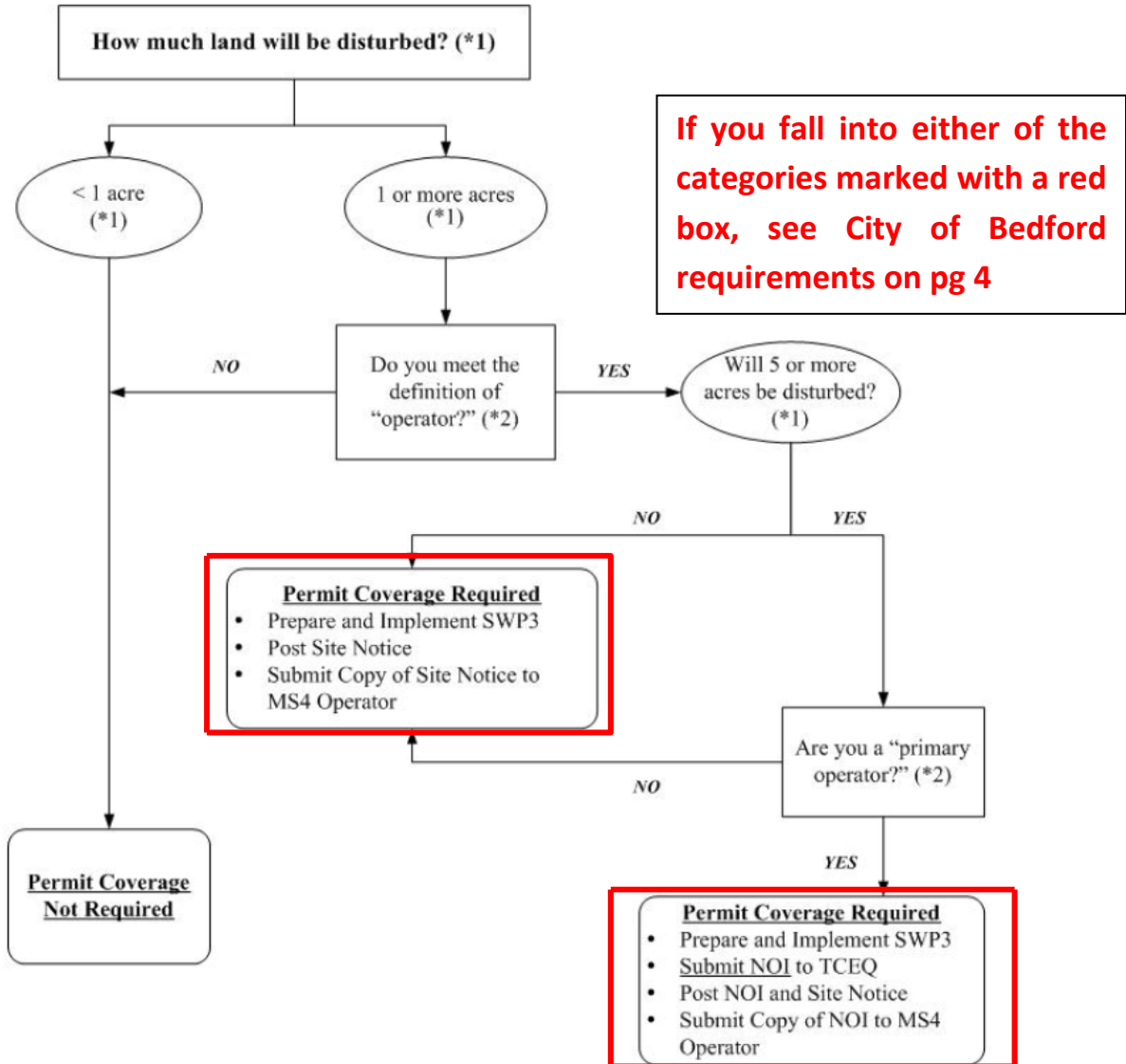
Construction General Permit

TPDES General Permit TXR150000

## Part I. Flow Chart and Definitions

**STATE**

### Section A. Flow Chart to Determine Whether Coverage is Required



**If you fall into either of the categories marked with a red box, see City of Bedford requirements on pg 4**

(\*1) To determine the size of the construction project, use the size of the entire area to be disturbed, and include the size of the larger common plan of development or sale, if the project is part of a larger project (refer to Part I.B., "Definitions," for an explanation of "larger common plan of development or sale").

(\*2) Refer to the definitions for "operator," "primary operator," and "secondary operator" in Part I., Section B. of this permit.

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## DEFINITIONS FROM STATE PERMIT TX150000

**(THESE ARE ONLY EXCERPTS. IN ORDER TO ENSURE COMPLETE COMPLIANCE YOU MUST REVIEW THE FULL PERMIT. YOU CAN FIND THE PERMIT AT THE TCEQ WEBSITE:**

**<http://www.tceq.state.tx.us/assets/public/permitting/waterquality/attachments/stormwater/txr150000.pdf>. If you are unfamiliar with Texas Commission on Environmental Quality (TCEQ) storm water rules it is strongly recommended you contact a TCEQ Environmental Compliance Assistance Specialist by calling 817-588-5800. This service is FREE OF CHARGE.)**

**Common Plan of Development** - A construction activity that is completed in separate stages, separate phases, or in combination with other construction activities. A common plan of development (also known as a “common plan of development or sale”) is identified by the documentation for the construction project that identifies the scope of the project, and may include plats, blueprints, marketing plans, contracts, building permits, a public notice or hearing, zoning requests, or other similar documentation and activities. A common plan of development does not necessarily include all construction projects within the jurisdiction of a public entity (e.g., a city or university). Construction of roads or buildings in different parts of the jurisdiction would be considered separate “common plans,” with only the interconnected parts of a project being considered part of a “common plan” (e.g., a building and its associated parking lot and driveways, airport runway and associated taxiways, a building complex, etc.). Where discrete construction projects occur within a larger common plan of development or sale but are located ¼ mile or more apart, and the area between the projects is not being disturbed, each individual project can be treated as a separate plan of development or sale, provided that any interconnecting road, pipeline or utility project that is part of the same “common plan” is not included in the area to be disturbed.

**Large Construction Activity** - Construction activities including clearing, grading, and excavating that result in land disturbance of equal to or greater than five (5) acres of land. Large construction activity also includes the disturbance of less than five (5) acres of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than five (5) acres of land. Large construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the site (e.g., the routine grading of existing dirt roads, asphalt overlays of existing roads, the routine clearing of existing right-of-ways, and similar maintenance activities.)

**Operator** - The person or persons associated with a large or small construction activity that is either a primary or secondary operator as defined below:

**Primary Operator** – the person or persons associated with a large or small construction activity that meets either of the following two criteria:

(a) the person or persons have operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications; or

(b) the person or persons have day-to-day operational control of those activities at a construction site that are necessary to ensure compliance with a storm water pollution prevention plan (SWP3) for the site or other permit conditions (e.g., they are authorized to direct workers at a site to carry out activities required by the SWP3 or comply with other permit conditions).

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**Secondary Operator** – The person whose operational control is limited to the employment of other operators or to the ability to approve or disapprove changes to plans and specifications. A secondary operator is also defined as a primary operator and must comply with the permit requirements for primary operators if there are no other operators at the construction site.

**Small Construction Activity** - Construction activities including clearing, grading, and excavating that result in land disturbance of equal to or greater than one (1) acre and less than five (5) acres of land. Small construction activity also includes the disturbance of less than one (1) acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than one (1) and less than five (5) acres of land. Small construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the site (e.g., the routine grading of existing dirt roads, asphalt overlays of existing roads, the routine clearing of existing right-of-ways, and similar maintenance activities.)

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## CITY OF BEDFORD REGULATIONS

**(In order to ensure full compliance please review Division 4 of the City of Bedford Storm Water Pollution Control 09-2952 ordinance at [http://www.ci.bedford.tx.us/Departments/public\\_services/files/2010/09-2952\\_StormWater.pdf](http://www.ci.bedford.tx.us/Departments/public_services/files/2010/09-2952_StormWater.pdf))**

1. By definition and activity (as stated on page 1) do you fall under State of Texas storm water regulations?

**YES** (*continue to number 2*)

**NO** (*you do not need to comply with TXR150000 on this project*)

2. Are you a small site (less than 5 acres)?

**YES**—In addition to all Federal and State requirements you must adhere to the City of Bedford Storm Water Pollution Control Ordinance. This includes, but is not limited to:

- A. Must send copies of the following documents to the Environmental Specialist at the City of Bedford Public Works Department, 1813 Reliance Pkwy, Bedford, TX 76021 or to [stephanie.corso@bedfordtx.gov](mailto:stephanie.corso@bedfordtx.gov).
- i. Construction Site Notice
  - ii. Inspection reports (as dictated by the SWP3)

**Continue to number 4.**

**NO**, I am a large site (5 or more acres), **continue to number 3**

3. Large sites, in addition to all Federal and State requirements, must adhere to the City of Bedford Storm Water Pollution Control Ordinance. This includes, but is not limited to:

- A. Must send copies of the following documents to the Environmental Specialist at the City of Bedford Public Works Department, 1813 Reliance Pkwy, Bedford, TX 76021 or to [stephanie.corso@bedfordtx.gov](mailto:stephanie.corso@bedfordtx.gov).
- i. Construction Site Notice
  - ii. Inspection reports (as dictated by the SWP3)
  - iii. Notice of Intent (NOI), Notice of Change (NOC), Notice of Termination (NOT)

**Continue to number 4.**

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## **4. ALL CONSTRUCTION SITES MUST ADHERE TO THE PROVISIONS SET FORTH BY THE CITY OF BEDFORD STORM WATER POLLUTION CONTROL ORDINANCE, INCLUDING BUT NOT LIMITED TO:**

- All sites shall use best management practices (BMPs) to control and reduce erosion and sediment discharge
- All sites shall comply with the requirements in any and all applicable federal, state, and local storm water permits
- All construction sites shall be inspected per the TPDES Construction General Permit
- All control measures should be consistent with those in the North Central Texas Council of Governments Integrated Storm Water Manual (iSWM).
- BMPs and structural controls shall be properly maintained until final stabilization is established
- Proper waste disposal and waste management techniques shall be implemented
- Concrete wash-out area must be established and clearly marked with signs
- All contractors and sub-contractors must show proof of training on storm water impacts from construction activities and maintenance of control measures
- An Erosion and Sediment Control Plan shall be submitted to the City and reviewed and released by the City prior to the commencement of any activity on a Site.