



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

NOTICE OF A PUBLIC MEETING AND A PROPOSED AMENDMENT AND RENEWAL OF A GENERAL PERMIT AUTHORIZING THE DISCHARGE OF STORMWATER

The Texas Commission on Environmental Quality (TCEQ) proposes to amend and renew a general permit, the Texas Pollutant Discharge Elimination System Permit Number TXR040000, authorizing stormwater and certain non-stormwater discharges to surface water in the state from small municipal separate storm sewer systems (MS4s). The draft general permit applies to the entire state of Texas. General permits are authorized by Texas Water Code, §26.040.

DRAFT GENERAL PERMIT. The executive director has prepared a draft renewal with amendments to the existing general permit that authorizes the discharge of stormwater and certain types of non-stormwater from small MS4s. The proposed changes to the general permit are included in the draft general permit and described in the fact sheet.

The draft general permit specifies which small MS4s must obtain permit coverage, which are eligible for a waiver based on population, and which must obtain individual permit coverage. Discharges from small MS4s of stormwater and certain types of non-stormwater are eligible for authorization under the draft general permit only if the small MS4 is located within an urbanized area, as defined by the United States Bureau of Census for the 2000 or 2010 Decennial Census. Small MS4s located outside of an urbanized area may be designated by the TCEQ as requiring authorization and may also be permitted under the draft general permit. Non-stormwater discharges that are not specifically listed in the general permit are not authorized by the general permit. No significant degradation of high quality waters is expected and existing water uses will be maintained and protected.

Operators of small MS4s seeking authorization under this general permit would be required to submit a notice of intent and a Stormwater Management Program (SWMP) within 180 days following the effective date of this general permit. The SWMP must be developed to reduce the discharge of pollutants from the small MS4 to the maximum extent practicable.

The executive director has reviewed this action for consistency with the goals and policies of the Texas Coastal Management Program (CMP), according to General Land Office regulations, and has determined that the action is consistent with applicable CMP goals and policies.

A copy of the draft general permit and fact sheet are available for viewing and copying at the TCEQ Office of the Chief Clerk located at the TCEQ's Austin office, at 12100 Park 35 Circle, Building F, Austin, Texas 78753. These documents are also available at the TCEQ's 16 regional offices and on the TCEQ web site at https://www.tceq.texas.gov/permitting/stormwater/WQ_ms4_small_TXRO4.html

PUBLIC COMMENT AND PUBLIC MEETING. You may submit public comments about this general permit in writing or orally at the public meeting held by the TCEQ. The purpose of a public meeting is to provide an opportunity to submit comments and to ask questions about the general permit. A public meeting is not a contested case hearing. The public comment period will end at the conclusion of the public meeting.

The public meeting will be held at **1:30 p.m., September 24, 2018**, TCEQ, 12100 Park 35 Circle, Building E, Room 201S, Austin, Texas 78753.

Written public comments must be received by the Office of the Chief Clerk, MC 105, TCEQ, PO Box 13087, Austin, TX 78711-3087 or electronically by selecting comment about pending permit applications at www.tceq.texas.gov/about/comments.html by the end of the public comment period on September 24, 2018.

APPROVAL PROCESS. After the comment period, the executive director will consider all the public comments and prepare a written response. The response will be filed with the TCEQ Office of the Chief Clerk at least 10 days before the scheduled Commission meeting at which the commission will consider approval of the general permit. The Commission will consider all public comments in making its decision and will either adopt the executive director's response or prepare its own response to the comments. The Commission will issue its written response to the public comments on the general permit at the same time the Commission issues or denies the general permit. A copy of the issued general permit and response to comments will be made available to the public for inspection at the agency's Austin and regional offices. A notice of the Commissioners' action on the draft general permit and a copy of its response to comments will be mailed to each person who made a comment. Also, a notice of the Commission's action on the draft general permit and the text of its response to comments will be published in the *Texas Register*.

MAILING LISTS. In addition to submitting public comments, you may ask to be placed on a mailing list to receive future public notices mailed by the Office of the Chief Clerk. You may request to be added to: (1) the mailing list for this specific general permit; (2) the permanent mailing list for a specific county; or (3) both. Clearly specify the mailing lists to which you wish to be added and send your request to the TCEQ Office of the Chief Clerk at the address above. Unless you otherwise specify, you will be included only on the mailing list for this specific general permit.

INFORMATION. If you need more information about the draft permit or the permitting process, please call the TCEQ Public Education Program, toll free, at 1-800-687-4040. General information about the TCEQ can be found at our web site at: www.tceq.texas.gov.