

Subject: TFC PIR No. 2022-057
Date: Friday, March 4, 2022 at 1:47:09 PM Eastern Standard Time
From: Kimberly French
To: AO Records
Attachments: image001.png, OAG Letter.pdf

EXTERNAL SENDER

Some of documents responsive to your Public Information Request to the Texas Facilities Commission (“TFC”), TFC PIR No. 2022-057, have been uploaded to a OneDrive directory, due to our agency’s size limitations for email attachments. The OneDrive directory is accessible at the hyperlink:

 [TFC PIR No. 2022-057](#)

This hyperlink will be active for thirty (30) calendar days. If this method of file sharing does not work for you, please advise so I may provide these documents through another application or method you prefer.

A portion of the documents you requested have been withheld from release, and a request for a decision on withholding by the OAG has been requested. The OAG will issue a decision on whether Texas law requires TFC to release the records. Your copy of that request is attached.

Please let me know of any issues accessing the OneDrive directory or the attached pdf, or if you have any questions.

Thank you.

Cordially,
Kim French
Legal Services Division
Texas Facilities Commission
1711 San Jacinto Boulevard
Austin, Texas 78701
Telephone: (512) 463-3446



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Texas Pollutant Discharge Elimination System
Stormwater Construction General Permit

The Notice of Intent (NOI) for the facility listed below was received on November 22, 2021. The intent to discharge stormwater associated with construction activity under the terms and conditions imposed by the Texas Pollutant Discharge Elimination System (TPDES) stormwater construction general permit TXR150000 is acknowledged. Your facility's TPDES construction stormwater general permit authorization number is:

TXR1545HG

Coverage Effective: November 22, 2021

TCEQ's stormwater construction general permit requires certain stormwater pollution prevention and control measures, possible monitoring and reporting, and periodic inspections. Among the conditions and requirements of this permit, you must have prepared and implemented a stormwater pollution prevention plan (SWP3) that is tailored to your construction site. As a facility authorized to discharge under the stormwater construction general permit, all terms and conditions must be complied with to maintain coverage and avoid possible penalties.

Project/Site Information:

RN111376687
Texas Border Infrastructure Project Rfp-1
Latitude 26 Deg 17 2864 N Longitude -98 Deg 40 1249
La Grulla, TX 78582
Starr County

Operator:

CN605957562
Posillico Civil, Inc.
1750 New Hwy
Farmingdale, NY 11735

This permit expires on March 05, 2023, unless otherwise amended. If you have any questions related to processing, you may contact the Stormwater Processing Center by email at SWPERMIT@tceq.texas.gov or by telephone at (512) 239-3700. For technical issues, you may contact the stormwater technical staff by email at SWGP@tceq.texas.gov or by telephone at (512) 239-4671. Also, you may obtain information on the TCEQ web site at <https://www.tceq.texas.gov/goto/wq-dpa>. A copy of this document should be kept with your SWP3.

Issued Date: November 22, 2021

A handwritten signature in black ink, appearing to read "T. J. Baker", positioned above a horizontal line.

FOR THE COMMISSION



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Issued Date: November 22, 2021

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FOR THE COMMISSION

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

November 22, 2021

Dear Applicant:

Re: TPDES General Permit for Construction Stormwater Runoff (TXR150000)
Stormwater Notice of Intent Authorization

Your Notice of Intent application for authorization under the general permit for discharge of stormwater associated with construction activities has been received. Pursuant to authorization from the Executive Director of the Texas Commission on Environmental Quality, the Division Director of the Water Quality Division has issued the enclosed Certificate.

Please refer to the attached certificate for the identification number that was assigned to your project/site and the effective date. Please use this number to reference this project/site for future communications with the Texas Commission on Environmental Quality (TCEQ).

Authorization under the Edwards Aquifer Protection Program is required before construction can begin where the site is located within the Edwards Aquifer Recharge Zone, Contributing Zone, or Contributing Zone within the Transition Zone. See <http://www.tceq.texas.gov/field/eapp/program.html> for additional information.

A Notice of Termination must be submitted when permit coverage is no longer needed. **It is the responsibility of the Operator to notify the TCEQ Stormwater Processing Center of any change in address supplied on the original Notice of Intent by submitting a Notice of Change.**

For questions related to processing of forms you may contact the Stormwater Processing Center by email at SWPERMIT@tceq.texas.gov or by telephone at (512) 239-3700. If you have any technical questions regarding the general permit, you may contact the stormwater technical staff by email at SWGPA@tceq.texas.gov or by telephone at (512) 239-4671. Also, you may obtain information on the stormwater web site at <https://www.tceq.texas.gov/permitting/stormwater>.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Sadlier".

Robert Sadlier, Deputy Director
Water Quality Division

Kimberly French

From: Martin Blair
Sent: Friday, November 19, 2021 12:21 PM
To: Stephen Foster; Steven Halpin; Lia Edwards
Cc: Kimberly French; Christopher George
Subject: FW: Submittal - SWPPP
Attachments: TFC NOI 101921.docx; Texas Infra SWPPP 111121.docx

NOTE: these are normally Project Management docs and NEVER come to me, but because they did, I am placing them in the physical file.

John said he is acting PM on this so he will know what to do with them.

Martin

From: Lee Kaplan <lkaplan@posillico.com>
Sent: Friday, November 19, 2021 10:04 AM
To: Bormann, Michael <mbormann@Huitt-Zollars.com>
Cc: John Raff <John.Raff@tfc.texas.gov>; Trimble, Craig <ctrimble@Huitt-Zollars.com>; Martin Blair <martin.blair@tfc.texas.gov>; Richard Cellon <rcellon@broaddususa.com>; Pete Pazos <ppazos@broaddususa.com>; Riera, Alfonso <ARiera@mbakerintl.com>; dmiller@cecinc.com; Rick Silva <rsilva@coastalgrp.net>; Gilbert Brindley <gbrindley@posillico.com>; Alejandro Toscano <atoscano@posillico.com>; Tim Murphy <tmurphy@posillico.com>; Carolyn Nielsen <cnielsen@posillico.com>; Steven Posillico <sposillico@posillico.com>; Scott Rogers <srogers@sbcus.net>; Candas "Johndosh" Aksoy <caksoy@posillico.com>
Subject: Submittal - SWPPP

External: Beware of links/attachments

Mike,

Attached is the SWPP and the NOI. I have completed the required sections of the SWPPP. I believe the TFC needs to sign both the SWPPP and the NOI before we can submit.

Regards,

Lee

Lee Kaplan, P.G., MPH | *Project Executive*

Posillico
1750 New Highway | Farmingdale, NY 11735
P 631.390.5770
C 917.868.5472
www.posillico.com



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From: [Lee Kaplan](#)
To: [Bormann, Michael](#)
Cc: [John Raff](#); [Trimble, Craig](#); [Martin Blair](#); [Richard Cellon](#); [Pete Pazos](#); [Riera, Alfonso](#); dmiller@cecinc.com; [Rick Silva](#); [Gilbert Brindley](#); [Alejandro Toscano](#); [Tim Murphy](#); [Carolyn Nielsen](#); [Steven Posillico](#); [Scott Rogers](#); [Candas "Johndosh" Aksoy](#)
Subject: Submittal - SWPPP
Date: Friday, November 19, 2021 10:05:01 AM
Attachments: [TFC NOI 101921.docx](#)
[Texas Infra SWPPP 111121.docx](#)

External: Beware of links/attachments

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Construction General Permit Stormwater Pollution Prevention Plan (SWP3)

November 2021

Texas Pollutant Discharge Elimination Systems (TPDES)

Construction Stormwater General Permit (TXR150000)

Stormwater Pollution Prevention Plan (SWP3)

Texas Facilities Commission (TFC)

Role: Primary Operator/Owner

Project Name: Texas Border Infrastructure

and/or Other Operators: TBD

Plan Date: 11/11/2021

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Certification Page

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Sign as required by 30 TAC 305.128

Signed: _____
name
title

Date:

If plan is shared by more than one entity:

Signed: _____
name
title

Date: TPDES#: _____

Signed: _____
name
title

Date: TPDES#: _____

Signed: _____
name
title

Date: TPDES#: _____

Primary Operators

Texas Facilities Commission

Site Description

Section 1

The site is in Starr County, Texas, generally Northwest of La Grulla, Texas. The site is on General Land Office (GLO) land that is owned by the State of Texas and continues towards La Grulla. The 2.90 mile stretch is South of United States (US) Highway 83 and West of FM 2360 and on farm land approximately 7,000 feet South of U.S. Hwy 83. The west end meets the Rio Grande Valley National Wildlife Reserve (N:16632269.70, E:923175.27) and the east end heads southeast towards Mission Road (N:16629229.77, E:930837.92). The 1.68 mile section generally runs east west across land used for farming. The site is relatively flat. The site is approximately 200 feet wide for the entire alignment and encompasses 41 acres.

Nature of Construction and List of Pollutants

Part III, Sect. F.1. (a)

Description of the general nature of construction activities:

On the site, a contractor will construct all weather roads for access and travelways, communication ductbanks, electrical conduits, light poles with fixtures, vertical steel barrier panels, vehicular gates, grading and excavation for the roadways and structures. The roads will be 20' wide for access roads and 20 feet for the patrol and maintenance roads. The alignment will be cleared of vegetation for the 200 foot width per the required design standards. The sight lines are of the utmost importance for the intended use and required the removal of the existing vegetation.

The travelways will be on either side of the vertical panels with varying distances from the alignment for driving geometry. The access roads will be from public roads to the alignment in couple of places along the alignment for construction access. The access roads will be designed for temporary use during construction.

Part III, Sect. F.1. (b)

List of ALL potential pollutants and their sources:

<i>Potential Pollutants</i>	<i>Source</i>
Effluent runoff	Excavation and grading activities
Oil/Fuel (Diesel/Gasoline)	Machinery, vehicle maintenance, refueling
Trash/Debris	Laydown area, supplies,
Dust	Ground disturbing activities
Paint	Panel Production
Concrete waste	Panel Erection/Utility install
Solvents	Paint Cleanup

Section 2

Construction Schedule

Part III Sect. F.1. (c)

Description of the intended schedule, or a sequence of the major activities that will be disturbing soil for the major portions of the site. Add or subtract rows as needed.

<i>Name of Operator</i>	<i>Phase of Project Projected dates Month/year</i>	<i>Activity Disturbing Soil clearing, excavation, etc.</i>	<i>Location on-site where activity will be conducted</i>	<i>Acreage being disturbed</i>
Posillico Civil Inc.	11/2021	Clearing and Grubbing	Entire alignment	42.5
Posillico Civil Inc.	11/2021	Grading/Excavation	Entire alignment	42.5
Posillico Civil Inc.	02/2022	Utility Install	Utility trench along entire alignment	5
Posillico Civil Inc.	12/2021	Panel Install	Entire Alignment. Approx. 6 foot disturbance area.	2
Posillico Civil Inc.	02/2022	Pole Install	Spot Locations along entire alignment	<1
Posillico Civil Inc.	12/2021	Pavement Placement	Two roads along entire alignment	8.5

Section 3

Acreage, Material Storage, and Soil Type

Part III, Sect. F.1. (d)

The total acreage of the entire property and the total acreage where construction activity will occur. Include off-site material storage areas, overburden and stockpiles of dirt or aggregates, and borrow areas. Also, include the acreage for construction support activities, such as equipment staging or storage areas, and chemical storage areas.

<i>Material Storage</i>	<i>Material (s)/Equipment</i>	<i>Acreage</i>	<i>Location</i>
Off-site	Panels and Gate Material	10	605 W El Rancho Blanco Rd. Pharr, Tx
On-site	Support Equipment and Supplies	2	On alignment
Overburden/Stockpiles of Dirt	Excavated material and imported fill	3	Throughout alignment
Off-Site Borrow Areas	Structural Fill Material	10	415 Tablero Rd. Sullivan City, Tx
Construction Support Activities	Project support areas in laydown areas	1	West Corner of site
Total acreage of project property:	42.5	Total acreage of disturbed soil:	42.5

Part III Sect. F.1. (e)

Description of the soil type (e.g., loamy, clayey, sandy, rocky) or the quality of any discharge from the site.

From the SCS for Starr County:

The following soils are noted along the alignment: La, Re and Mm:

The soils encountered along the alignment are typically deep loamy soils. The entire series is well suited for farming and crops as they all have a high capacity for water capacity and the surface runoff is slow.

The LaGloria silt loam on level ground, vary from less than 1% to 2%. This is the transitional areas from the active flood plain areas of the Rio Grande to non-active floodplains. The series developed in loamy calcareous sediment.

The Matamoros series is deep, moderately well drained on the active flood plain along the Rio Grande River. Slopes are less than 1%. The layers are silty clay on the surface, clay loam and silt loam.

The Reynosa series is deep, well-drained soils that are nearly level. The series is old flood plain zones that are no longer receiving sediment. The soils are broad and generally several hundred acres in size.

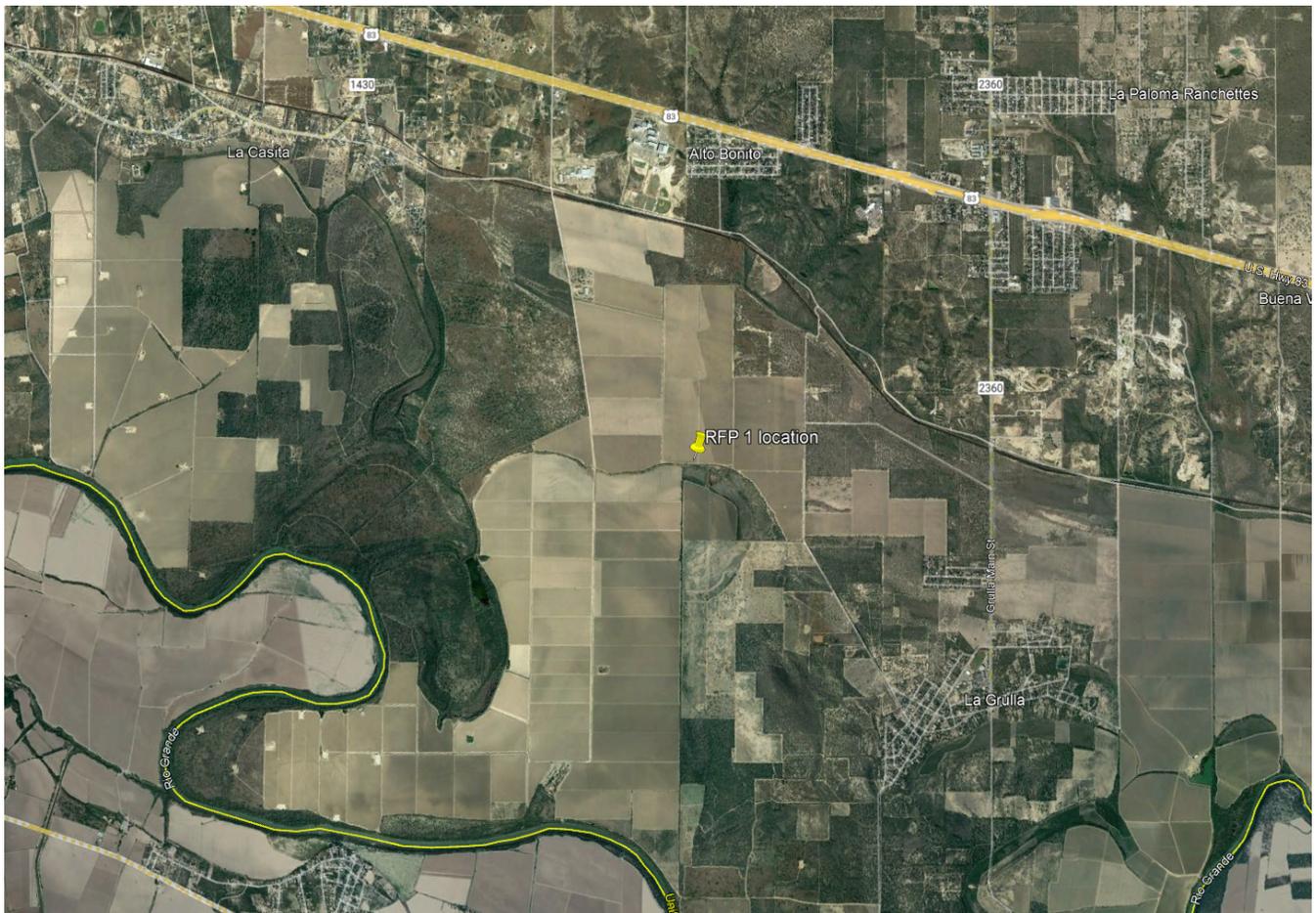
From a prospective geotechnical report for the alignment:

The boring showed sandy lean clays to fat clays deeper. The boring is near the east end of the alignment near La Grulla, Texas.

Section 4

Location Map

Part III Sect. F.1. (f)



Location Map

Section 5

Detailed Site Map(s)

Part III Sect. F.1.g (i)-(viii)

SEE THE FOLLOWING SHEETS

Section 6

Site Description – Support Facilities

Part III Sect. F.1. (h)

A description of the activities and their locations of any asphalt plants, concrete batch plants or other activity supporting this construction site.

<i>Facility</i>	<i>Description</i>	<i>Location</i>
Contractor Laydown Areas	2 acres laydown area, caliche surfaced	West end of construction site
Off-Site Concrete Batch Plant	Off Site Batch Plant owned by others	Off Site 600 N West St. Rion Grande City, Tx
Other Support Activity	Off Site Fabrication shop	Off Site 605 W El Rancho Blanco Rd. Pharr, Tx

Part III Sect. F.1. (i)

List of receiving waters at or near the site that will be disturbed or that will receive discharges from the project’s disturbed areas.

<i>Name of Receiving</i>	<i>Will Receiving Water Be Disturbed?</i>	<i>Location of Receiving water</i>
Rio Grande	No	South of site, approx. 10,000 feet

Section 7

**Copies of Construction General Permit (CGP) TXR150000
or description of location of CGP
NOI, certificate, and/or site notice**

Best Management Practices

Section 8

Best Management Practices (BMPs) Erosion and Sediment Controls

Part III Section F.2.a.(i)-(ii) and F.2. (c)

Description of Erosion and Sediment Controls designed to retain sediment. Add as many rows as needed.

<i>BMPs Installed</i>	<i>Schedule of BMP installation</i>	<i>Location(s) On-Site</i>	<i>Inspection/Maintenance Schedule</i>	<i>Modifications/Replacement Activities</i>
Construction Entrance	Initial Phase	Access Road	Every 7 days	Ongoing during construction
Silt Fence with gravel overflows	Initial Phase	Downstream of sites	Every 7 days	Ongoing during construction
Dust Control /Dampening	Concurrent with Grading and /or Excavation	Areas of grading	Every 7 days	Ongoing during construction
Vegetative buffer	Initial Phase	Downstream of silt fence and site	Every 7 days	Leave with Silt fence installation

<i>Are there sedimentation basins or traps?* If yes, list the measures taken to reduce the pollutants transported off-site by pumping activities.</i>	<i>Yes</i> <input type="checkbox"/>	<i>No</i> <input checked="" type="checkbox"/>
<i>Prevention Measure</i>	<i>Location On-Site</i>	<i>Implementation Date</i>

* Part III Section F.6. (c) Sediment must be removed from sediment traps and basins no later than the time that the design capacity has been reduced by 50 percent.

Section 9

BMPs, Off-Site Transfer of Pollutant Controls

Part III Section F.2.a. (iii)

List of good housekeeping practices implemented to limit the off-site transport of litter, construction debris, and construction materials.

<i>Litter Controls:</i>	
<i>Good Housekeeping Activity</i>	<i>Location(s) On-Site</i>
Onsite Chemical Toilets	Each construction area of work, laydown area
Scheduled Trash Service	Laydown area
Truck Wash Area	Site entrance/exit
<i>Construction Debris Controls:</i>	
<i>Good Housekeeping Activity</i>	<i>Location(s) On-Site</i>
Concrete Washout Trays/	Concrete placement areas – transport with concrete installation
Dumpsters at Laydown Areas	Laydown areas
<i>Construction Material Controls:</i>	
<i>Good Housekeeping Activity</i>	<i>Location(s) On-Site</i>
Paint Stored in containers	Laydown Areas and Storage Areas
Storage Tanks with containment	Laydown Areas
Solvents in containers	Laydown Areas and Storage Areas

Available land fills near the project site:

City of Edinburg Type IV Landfill, 8601 North Jasman Road, Edinburg, TX 78542

Penitas Landfill (Type 1) at 0.4 miles west of Penitas on West Military Road, Penitas, TX and Republic Services Lagloria Landfill (Type I) at 23485 N. Moorefield Road, Edinburg, TX.

Section 10

BMPs, Stabilization and Erosion Control Practices

Part III Section F.2.b. (i)

Stabilization and erosion control practices may include, but are not limited to: establishing temporary or permanent vegetation, mulching, geotextiles, sod stabilization, vegetative buffer strips, and protecting existing trees and vegetation. List practices used where they are located, when they will be implemented, and whether they are temporary (interim) or permanent.

<i>Stabilization Practices</i>	<i>Location On-Site</i>	<i>Implementation Date</i>	<i>Interim or Permanent</i>
Permanent Vegetation	Denuded Areas	After grading of mass grading	Permanent
Mulching	Downstream areas	After Panel installation	Interim
Water	Denuded and Downstream	Throughout Project	Interim
Construction of drainage ditches	Up and Downstream	End of Project	Permanent

Contractor shall document revisions necessary from the site inspections and the SWPPP detail site maps shall be updated with the all BMP changes on site, including type, install date, removal date and any remedial install or maintenance required for each BMP with the construction progress.

Contractor shall install silt fence on project limits with vegetative buffers present to remain for use as BMP with the silt fence installation on the downstream side of the silt fence. Contractor to install silt fence with respect to the vegetative buffer present and can vary the location of the silt fence from the easement limits to preserve buffers on each side of easement limits. Vegetative buffer shall remain intact for the project schedule and contractor is to preserve the vegetative buffers outside the silt fence.

Section 11

Dates of Major Grading Activities and Construction Stoppage

Part III Section F.2.b. (ii) (A)-(C), (iii-iv)

If you do not list activities below, either attach documentation or state where records for the activities can be accessed:

Documentation attached? Yes No

Where can documentation be found (if not included in SWP3)? Contractor Site trailer – onsite
 Contact Person TBD Phone Number TBD

Dates when major grading activities will occur and locations on-site:

<i>Activity</i>	<i>Location</i>	<i>Dates when Activity is Scheduled</i>
Grading/Excavation	Along Alignment	12/2021 – 06/2022
Panel install	Along Alignment	12/2021 – 03/2022
Final Stabilization	Along Alignment	03/2022 – 06/2022

Dates when construction activity will temporarily or permanently cease:

<i>Location on-site</i>	<i>Date activity is to be stopped</i>	<i>Temporary or Permanent?</i>	<i>Stabilization Initiation Date</i>
Along alignment	06/2022	Permanent	12/2021

Section 12

Sediment Control Practices

Part III Section F.2. (c)

Will the project disturb 10 acres or more at one time? Yes No

If yes, is it feasible to install a sediment basin? Yes No

Calculate the volume of runoff from a 2-year, 24 hour storm event. Volume of sediment basin:

In determining feasibility have you considered (attach any additional justification in determining feasibility):

<i>Site Factor</i>	<i>Considered?</i>	<i>Site Factor</i>	<i>Considered?</i>
Site Soils	Yes	Precipitation pattern	Yes
Slope	Yes	Site geometry	Yes
Available area	Yes	Site vegetation	Yes

<i>Site Factor</i>	<i>Considered?</i>	<i>Site Factor</i>	<i>Considered?</i>
Public safety	Yes	Geotechnical factors	Yes
Groundwater depth	Yes	Infiltration capacity	Yes

Based on above information, sedimentation basin will be used **OR** is not feasible. The project is a linear project with a minor width of work area compared to the length of the project. The site grading will also be limited for the available real estate to construct sediment basins and provide runoff trends to develop grading patterns.

If a sediment basin is not feasible, list of alternative structural control practices that will be used:

<i>Article II. Structural Control</i>	<i>Used? Yes/No</i>	<i>Location On-Site</i>
A series of smaller sediment basins	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Silt fences	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Downstream side of const.
Vegetative buffer strips	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Downstream/Upstream side of const./silt fence
Sediment traps	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	At concentrated points of discharge after utility installation
Other (list):	Yes <input type="checkbox"/> No <input type="checkbox"/>	
Other (list):	Yes <input type="checkbox"/> No <input type="checkbox"/>	
Other (list):	Yes <input type="checkbox"/> No <input type="checkbox"/>	
Other (list):	Yes <input type="checkbox"/> No <input type="checkbox"/>	

Section 13

Permanent Stormwater Controls

Part III Section F.3

The following measures will be constructed to control post-construction runoff:

<i>Control Measure</i>	<i>Location on Project Site</i>	<i>Control runoff from what areas</i>
Vegetation - final stabilization	Along Alignment	Alignment to downstream boundary

Section 14

Other Stormwater Controls

Part III Section F.4. (a)

Control to minimize dust generation and off-site tracking of sediment:

<i>Control Practice Used</i>	<i>Location(s) On-Site</i>
Sweeping pavement	Laydown areas, public road access
Wetting soils	Along Alignment/Access Road
Stabilized Construction Entrances	Ingress/Egress points to public roads and access roads

Part III Section F.4. (b)

The following construction and waste materials will be stored on-site:

<i>Materials Stored On-Site</i>	<i>Average Amount Stored</i>	<i>Location On-Site</i>	<i>Controls Used to Prevent Pollutants</i>
Const Debris	20 YD	laydown areas	Scheduled service
Concrete Waste	10 YD	alignment	Service during placement

Other Stormwater Controls

Part III Section F.4. (c)- (d)

Describe pollutant sources from areas other than construction (make additional copies of this worksheet as needed):

<i>Type of pollutant source</i>	<i>Pollutant(s)</i>	<i>Control(s) or measure(s) used to minimize pollutants</i>

Describe the velocity dissipation devices that will be placed at discharge locations and/or along the length of any outfall channels:

<i>Dissipation Device (hay bales, silt fence, pond, etc.)</i>	<i>Outfall Discharging to (MS4, bar ditch, creek/stream)</i>	<i>At Outfall or Channel (distance interval for channel)</i>
Silt fence	ditches/concentrated flows	Outfall (200 feet)
Rock Berms	ditches/concentrated flows	Channel (100 feet)

Section 15

Inspection of Controls Worksheets/Report

Part III Section F.7.

Complete this worksheet every seven days; **OR**, every 14 days and within 24 hours of a 0.5 inch rainfall event, and retain in your SWP3. Inspector will document the condition of the BMPs and monitor the effectiveness of the installed BMPs by taking visual records/photographs and include all site and perimeter BMPs. The reports will include brief descriptions of the site controls/BMPs that are installed at the time of inspection and update the detail site maps for revisions necessary and document the BMPs timing for installation/removal and conditions.

Inspector (name/title): TBD **Inspection Date:** **Day:** **Time:** **am/pm**

Scope of inspection: 14 Day Inspection or Weekly Inspection

Day of week normally conducted: Tuesday 0.5 inch Rainfall Event

<i>Inspection Type:</i>	<i>Inspected? (Y/N)</i>	<i>Areas of Concern (Describe in detail in the narrative section)</i>
Disturbed Soil Areas	Yes <input type="checkbox"/> No <input type="checkbox"/>	
Material Storage Areas	Yes <input type="checkbox"/> No <input type="checkbox"/>	
Structural Controls	Yes <input type="checkbox"/> No <input type="checkbox"/>	
Sediment & Erosion Controls	Yes <input type="checkbox"/> No <input type="checkbox"/>	
Entrance(s) and Exit(s)	Yes <input type="checkbox"/> No <input type="checkbox"/>	

Discharges:

<i>Nature of discharge (silt, gravel, sand, other pollutant)</i>	<i>Location on-site discharge</i>

Inspection of Controls Worksheets (contd.)

Part III Section F.7.

Best Management Practices Inspected: Add additional rows if needed.

<i>BMP and Location</i>	<i>OK (no action required)</i>	<i>BMP failed (describe failure)</i>	<i>Required Maintenance (describe corrective actions needed)</i>
	<input type="checkbox"/>		

Additional BMPs Needed

<i>Location</i>	<i>Best Management Practice</i>	<i>Replacing Existing BMP?</i>

Inspection Narrative Description/Certification

Part III Section F.7.

Complete this worksheet every seven days; **OR**, every 14 days and within 24 hours of a 0.5 inch rainfall event and retain in your SWP3.

Describe the inspector’s qualifications to conduct the inspections:

Describe how your inspection was conducted:

Describe all incidents of non-compliance (i.e. major discharges, BMP failures):

“I certify that the facility or site is in compliance with the stormwater pollution prevention plan and this permit.”

I further certify that I am authorized to sign this report under TCEQ rules at 30 TAC 305.128 (relating to Signatories to Reports)

Name/Title:

Date:

Section 16

Eligible Non-Stormwater Discharges (listed in Part II.3. [a]-[h])

Part III, Sect. F.8

<i>Eligible Non-stormwater Discharge</i>	<i>Used? Yes/No</i>	<i>Pollution Prevention Measure(s)</i>	<i>Implementation Date</i>
Fire Fighting Activities	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Fire Hydrant Flushing	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Washing of Vehicles, Buildings, or Pavement without detergents or soap (see description in Part II.3.[c])	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
Dust Control	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
Potable Water Sources (water line flushing)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
Air Conditioning Condensate	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Uncontaminated Ground/Spring Water	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Other? (List)	Yes <input type="checkbox"/> No <input type="checkbox"/>		

List any other non-stormwater discharge permitted by a separate NPDES, TPDES, or TCEQ Permit.

<i>Non-stormwater Discharge</i>	<i>Pollution Prevention Measure</i>	<i>Implementation Date</i>

Section 17

Stormwater Runoff from Concrete Batch Plants

Part IV

See Instructions for information regarding Concrete Batch Plants associated with Construction Projects.

Planning for a concrete plant near the public access road and on laydown area or separate site for plant. Contractor to verify location(s) and provide site controls for stormwater runoff from the batch plant location(s). Site will have to plan for BMPs to be installed downstream of site and contain the runoff from the material stockpiles and plant footprint. Silt fence and rock berms for concentrated flows. Rock construction entrances for egress and ingress points of plant. Chemical toilets for plant operators and trash receptacle for trash collection.

Section 18

Concrete Truck Washout Requirements

Part V

Location of concrete washout area on site and description of BMPs established to prevent the concrete wash out water from contributing to groundwater contamination or entering the waters of the state.

Washout areas will be moved with the placement of panels for foundations. The locations will be moving with panel installation and not a stationary location on site. The washout trays or dumpsters will be removed when 75% full for disposal.



Notice of Intent (NOI) for an Authorization for Stormwater Discharges Associated with Construction Activity under TPDES General Permit TXR150000

IMPORTANT INFORMATION

Please read and use the General Information and Instructions prior to filling out each question in the NOI form.

Use the NOI Checklist to ensure all required information is completed correctly.

Incomplete applications delay approval or result in automatic denial.

Once processed your permit authorization can be viewed by entering the following link into your internet browser: http://www2.tceq.texas.gov/wq_dpa/index.cfm or you can contact TCEQ Stormwater Processing Center at 512-239-3700.

ePERMITS

Effective September 1, 2018, this paper form must be submitted to TCEQ with a completed electronic reporting waiver form (TCEQ-20754).

To submit an NOI electronically, enter the following web address into your internet browser and follow the instructions: <https://www3.tceq.texas.gov/steers/index.cfm>

APPLICATION FEE AND PAYMENT

The application fee for submitting a paper NOI is \$325. The application fee for electronic submittal of a NOI through the TCEQ ePermits system (STEERS) is \$225.

Payment of the application fee can be submitted by mail or through the TCEQ ePay system. The payment and the NOI must be mailed to separate addresses. To access the TCEQ ePay system enter the following web address into your internet browser: <http://www.tceq.texas.gov/epay>.

Provide your payment information for verification of payment:

- If payment was mailed to TCEQ, provide the following:
 - Check/Money Order Number: [REDACTED]
 - Name printed on Check: [REDACTED]
- If payment was made via ePay, provide the following:
 - Voucher Number: [REDACTED]
 - A copy of the payment voucher is attached to this paper NOI form.

RENEWAL (This portion of the NOI is not applicable after June 3, 2018)

Is this NOI for a renewal of an existing authorization? Yes No

If Yes, provide the authorization number here: TXR15

NOTE: If an authorization number is not provided, a new number will be assigned.

SECTION 1. OPERATOR (APPLICANT)

a) If the applicant is currently a customer with TCEQ, what is the Customer Number (CN) issued to this entity? CN [REDACTED]

(Refer to Section 1.a) of the Instructions)

b) What is the Legal Name of the entity (applicant) applying for this permit? (The legal name must be spelled exactly as filed with the Texas Secretary of State, County, or in the legal document forming the entity.)

Texas Facilities Commission (TFC)

c) What is the contact information for the Operator (Responsible Authority)?

Prefix (Mr. Ms. Miss): Mr.

First and Last Name: John Raff Suffix: [REDACTED]

Title: Deputy Executive Director Credentials: [REDACTED]

Phone Number: 512-463-3567 Fax Number: [REDACTED]

E-mail: [REDACTED]

Mailing Address: 1711 San Jacinto

City, State, and Zip Code: Austin, TX 78701

Mailing Information if outside USA:

Territory: [REDACTED]

Country Code: [REDACTED] Postal Code: [REDACTED]

d) Indicate the type of customer:

- Individual
- Limited Partnership
- General Partnership
- Trust
- Sole Proprietorship (D.B.A.)
- Corporation
- Estate
- Federal Government
- County Government
- State Government
- City Government
- Other Government
- Other: [REDACTED]

e) Is the applicant an independent operator? Yes No

(If a governmental entity, a subsidiary, or part of a larger corporation, check No.)

f) Number of Employees. Select the range applicable to your company.

- 0-20 251-500
 21-100 501 or higher
 101-250

g) Customer Business Tax and Filing Numbers: (**Required** for Corporations and Limited Partnerships. **Not Required** for Individuals, Government, or Sole Proprietors.)

State Franchise Tax ID Number: [REDACTED]

Federal Tax ID: [REDACTED]

Texas Secretary of State Charter (filing) Number: [REDACTED]

DUNS Number (if known): [REDACTED]

SECTION 2. APPLICATION CONTACT

Is the application contact the same as the applicant identified above?

- Yes, go to Section 3
 No, complete this section

Prefix (Mr. Ms. Miss): Mr.

First and Last Name: Michael De Leon Suffix: [REDACTED]

Title: Project Engineer Credential: [REDACTED]

Organization Name: MBI-HZ Joint Venture

Phone Number: 214-871-3311 Fax Number: 214-871-0757

E-mail: mdeleon@huitt-zollars.com

Mailing Address: 5430 Lyndon B Johnson Fwy, Suite 1500

Internal Routing (Mail Code, Etc.): [REDACTED]

City, State, and Zip Code: Dallas, TX 75240

Mailing information if outside USA:

Territory: [REDACTED]

Country Code: [REDACTED] Postal Code: [REDACTED]

SECTION 3. REGULATED ENTITY (RE) INFORMATION ON PROJECT OR SITE

a) If this is an existing permitted site, what is the Regulated Entity Number (RN) issued to this site? RN [REDACTED]

(Refer to Section 3.a) of the Instructions)

- b) Name of project or site (the name known by the community where it's located): Texas Border Infrastructure Project RFP-1
- c) In your own words, briefly describe the type of construction occurring at the regulated site (residential, industrial, commercial, or other): Panel and roadway construction - industrial
- d) County or Counties (if located in more than one): Starr
- e) Latitude: 26 deg 17' 28.64" N Longitude: 98 deg 40' 12.49" W
- f) Site Address/Location

If the site has a physical address such as 12100 Park 35 Circle, Austin, TX 78753, complete *Section A*.

If the site does not have a physical address, provide a location description in *Section B*. Example: located on the north side of FM 123, 2 miles west of the intersection of FM 123 and Highway 1.

Section A:

Street Number and Name:

City, State, and Zip Code:

Section B:

Location Description: Northwest of La Grulla, Texas

City (or city nearest to) where the site is located: La Grulla, Texas

Zip Code where the site is located: 78582

SECTION 4. GENERAL CHARACTERISTICS

- a) Is the project or site located on Indian Country Lands?
- Yes, do not submit this form. You must obtain authorization through EPA Region 6.
- No
- b) Is your construction activity associated with a facility that, when completed, would be associated with the exploration, development, or production of oil or gas or geothermal resources?
- Yes. Note: The construction stormwater runoff may be under jurisdiction of the Railroad Commission of Texas and may need to obtain authorization through EPA Region 6.
- No
- c) What is the Primary Standard Industrial Classification (SIC) Code that best describes the construction activity being conducted at the site? 971102
- d) What is the Secondary SIC Code(s), if applicable?
- e) What is the total number of acres to be disturbed? 108
- f) Is the project part of a larger common plan of development or sale?

Yes

No. The total number of acres disturbed, provided in e) above, must be 5 or more. If the total number of acres disturbed is less than 5, do not submit this form. See the requirements in the general permit for small construction sites.

g) What is the estimated start date of the project? Dec. 31, 2021

h) What is the estimated end date of the project? March 1, 2023

i) Will concrete truck washout be performed at the site? Yes No

j) What is the name of the first water body(ies) to receive the stormwater runoff or potential runoff from the site? Rio Grande River

k) What is the segment number(s) of the classified water body(ies) that the discharge will eventually reach? [REDACTED]

l) Is the discharge into a Municipal Separate Storm Sewer System (MS4)?

Yes No

If Yes, provide the name of the MS4 operator: [REDACTED]

Note: The general permit requires you to send a copy of this NOI form to the MS4 operator.

m) Is the discharge or potential discharge from the site within the Recharge Zone, Contributing Zone, or Contributing Zone within the Transition Zone of the Edwards Aquifer, as defined in 30 TAC Chapter 213?

Yes, complete the certification below.

No, go to Section 5

I certify that the copy of the TCEQ-approved Plan required by the Edwards Aquifer Rule (30 TAC Chapter 213) that is included or referenced in the Stormwater Pollution Prevention Plan will be implemented. Yes

SECTION 5. NOI CERTIFICATION

a) I certify that I have obtained a copy and understand the terms and conditions of the Construction General Permit (TXR150000). Yes

b) I certify that the full legal name of the entity applying for this permit has been provided and is legally authorized to do business in Texas. Yes

c) I understand that a Notice of Termination (NOT) must be submitted when this authorization is no longer needed. Yes

d) I certify that a Stormwater Pollution Prevention Plan has been developed, will be implemented prior to construction and to the best of my knowledge and belief is compliant with any applicable local sediment and erosion control plans, as required in the Construction General Permit (TXR150000). Yes

Note: For multiple operators who prepare a shared SWP3, the confirmation of an operator may be limited to its obligations under the SWP3, provided all obligations are confirmed by at least one operator.

SECTION 6. APPLICANT CERTIFICATION SIGNATURE

Operator Signatory Name: [REDACTED]

Operator Signatory Title: [REDACTED]

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

I further certify that I am authorized under 30 Texas Administrative Code §305.44 to sign and submit this document, and can provide documentation in proof of such authorization upon request.

Signature (use blue ink): _____ Date: _____

NOTICE OF INTENT CHECKLIST (TXR150000)

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.

Confirm each item (or applicable item) in this form is complete. This checklist is for use by the applicant to ensure a complete application is being submitted. **Missing information may result in denial of coverage under the general permit.** (See NOI process description in the General Information and Instructions.)

APPLICATION FEE

If paying by check:

- Check was mailed **separately** to the TCEQs Cashier's Office. (See Instructions for Cashier's address and Application address.)
- Check number and name on check is provided in this application.

If using ePay:

- The voucher number is provided in this application and a copy of the voucher is attached.

RENEWAL

- If this application is for renewal of an existing authorization, the authorization number is provided.

OPERATOR INFORMATION

- Customer Number (CN) issued by TCEQ Central Registry
- Legal name as filed to do business in Texas. (Call TX SOS 512-463-5555 to verify.)
- Name and title of responsible authority signing the application.
- Phone number and e-mail address
- Mailing address is complete & verifiable with USPS. www.usps.com
- Type of operator (entity type). Is applicant an independent operator?
- Number of employees.
- For corporations or limited partnerships - Tax ID and SOS filing numbers.
- Application contact and address is complete & verifiable with USPS. <http://www.usps.com>

REGULATED ENTITY (RE) INFORMATION ON PROJECT OR SITE

- Regulated Entity Number (RN) (if site is already regulated by TCEQ)
- Site/project name and construction activity description
- County
- Latitude and longitude <http://www.tceq.texas.gov/gis/sqmaview.html>

- Site Address/Location. Do not use a rural route or post office box.

GENERAL CHARACTERISTICS

- Indian Country Lands -the facility is not on Indian Country Lands.
- Construction activity related to facility associated to oil, gas, or geothermal resources
- Primary SIC Code that best describes the construction activity being conducted at the site.
www.osha.gov/oshstats/sicscr.html
- Estimated starting and ending dates of the project.
- Confirmation of concrete truck washout.
- Acres disturbed is provided and qualifies for coverage through a NOI.
- Common plan of development or sale.
- Receiving water body or water bodies.
- Segment number or numbers.
- MS4 operator.
- Edwards Aquifer rule.

CERTIFICATION

- Certification statements have been checked indicating Yes.
- Signature meets 30 Texas Administrative Code (TAC) §305.44 and is original.

Instructions for Notice of Intent (NOI) for Stormwater Discharges Associated with Construction Activity under TPDES General Permit (TXR150000)

GENERAL INFORMATION

Where to Send the Notice of Intent (NOI):

By Regular Mail:

TCEQ

Stormwater Processing Center (MC228)

P.O. Box 13087

Austin, Texas 78711-3087

By Overnight or Express Mail:

TCEQ

Stormwater Processing Center (MC228)

12100 Park 35 Circle

Austin, TX

Application Fee:

The application fee of \$325 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. Payment of the fee may be made by check or money order, payable to TCEQ, or through EPAY (electronic payment through the web).

Mailed Payments:

Use the attached General Permit Payment Submittal Form. The application fee is submitted to a different address than the NOI. Read the General Permit Payment Submittal Form for further instructions, including the address to send the payment.

ePAY Electronic Payment: <http://www.tceq.texas.gov/epay>

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

TCEQ Contact List:

Application – status and form questions:

512-239-3700, swpermit@tceq.texas.gov

Technical questions:

512-239-4671, swgp@tceq.texas.gov

Environmental Law Division:

512-239-0600

Records Management - obtain copies of forms:

512-239-0900

Reports from databases (as available):

512-239-DATA (3282)

Cashier's office:

512-239-0357 or 512-239-0187

Notice of Intent Process:

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

- **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(es) on the form must be verified with the US Postal service as receiving regular mail delivery. Do not give an overnight/express mailing address.

- **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.
- **Acknowledgment of Coverage:** An Acknowledgment Certificate will be mailed to the operator. This certificate acknowledges coverage under the general permit.

or

Denial of Coverage: If the operator fails to respond to the NOD or the response is inadequate, coverage under the general permit may be denied. If coverage is denied, the operator will be notified.

General Permit (Your Permit)

For NOIs submitted **electronically** through ePermits, provisional coverage under the general permit begins immediately following confirmation of receipt of the NOI form by the TCEQ.

For **paper** NOIs, provisional coverage under the general permit begins **7 days after a completed NOI is postmarked for delivery** to 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 <http://www.tceq.texas.gov>. Search using keyword TXR150000.

Change in Operator

An authorization under the general permit is not transferable. If the operator of the regulated project or site 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 and Regulated Entity Number, if one has not already been assigned to this customer or site.

For existing customers and sites, you can find the Customer Number and Regulated Entity Number by entering the following web address into your internet browser: <http://www15.tceq.texas.gov/crpub/> or you can contact the TCEQ Stormwater Processing Center at 512-239-3700 for assistance. On the website, you can search by your permit number, the Regulated Entity (RN) number, or the Customer Number (CN). If you do not know these numbers, you can select “Advanced Search” to search by permittee name, site address, etc.

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 this permit, a Notice of Change form must be submitted to the program area.

INSTRUCTIONS FOR FILLING OUT THE NOI FORM

Renewal of General Permit. Dischargers holding active authorizations under the expired General Permit are required to submit a NOI to continue coverage. The existing permit number is required. If the permit number is not provided or has been terminated, expired, or denied, a new permit number will be issued.

Section 1. OPERATOR (APPLICANT)

a) 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 the applicant is an existing TCEQ customer, the Customer Number is available at the following website: <http://www15.tceq.texas.gov/crpub/>. If the applicant is not an existing TCEQ customer, leave the space for CN blank.

b) Legal Name of Applicant

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

c) Contact Information for the Applicant (Responsible Authority)

Provide information for the person signing the application in the Certification section. This person is also referred to as the Responsible Authority.

Provide a complete mailing address for receiving mail from the TCEQ. The mailing address must be recognized by the US Postal Service. You may verify the address on the following website: <https://tools.usps.com/go/ZipLookupActionInput.action>.

The phone number should provide contact to the applicant.

The fax number and e-mail address are optional and should correspond to the applicant.

d) Type of Customer (Entity Type)

Check only one box that identifies the type of entity. Use the descriptions below to identify the appropriate entity type. Note that the selected entity type also indicates the name that must be provided as an applicant for an authorization.

Individual

An individual is a customer who has not established a business, but conducts an activity that needs to be regulated by the TCEQ.

Partnership

A customer that is established as a partnership as defined by the Texas Secretary of State Office (TX SOS). If the customer is a 'General Partnership' or 'Joint Venture' filed in the county (not filed with TX SOS), the legal name of each partner forming the 'General Partnership' or 'Joint Venture' must be provided. Each 'legal entity' must apply as a co-applicant.

Trust or Estate

A trust and an estate are fiduciary relationships governing the trustee/executor with respect to the trust/estate property.

Sole Proprietorship (DBA)

A sole proprietorship is a customer that is owned by only one person and has not been incorporated. This business may:

1. be under the person's name
2. have its own name (doing business as or DBA)
3. have any number of employees.

If the customer is a Sole Proprietorship or DBA, the 'legal name' of the individual business 'owner' must be provided. The DBA name is not recognized as the 'legal name' of the entity. The DBA name may be used for the site name (regulated entity).

Corporation

A customer that meets all of these conditions:

1. is a legally incorporated entity under the laws of any state or country
2. is recognized as a corporation by the Texas Secretary of State
3. has proper operating authority to operate in Texas

The corporation's 'legal name' as filed with the Texas Secretary of State must be provided as applicant. An 'assumed' name of a corporation is not recognized as the 'legal name' of the 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. The government agency's 'legal name' must be provided as the applicant. A department name or other description of the organization is not recognized as the 'legal name'.

Other

This may include a utility district, water district, tribal government, college district, council of governments, or river authority. Provide the specific type of government.

e) Independent Entity

Check No if this customer is a subsidiary, part of a larger company, or is a governmental entity. Otherwise, check Yes.

f) 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 application.

g) Customer Business Tax and Filing Numbers

These are required for Corporations and Limited Partnerships. These are not required for Individuals, Government, and Sole Proprietors.

State Franchise Tax ID Number

Corporations and limited liability companies that operate in Texas are issued a franchise tax identification number. If this customer is a corporation or limited liability company, enter the Tax ID number.

Federal Tax ID

All businesses, except for some small sole proprietors, individuals, or general partnerships should have a federal taxpayer identification number (TIN). Enter this number here. Use no prefixes, dashes, or hyphens. Sole proprietors, individuals, or general partnerships do not need to provide a federal tax ID.

TX SOS Charter (filing) Number

Corporations and Limited Partnerships required to register with the Texas Secretary of State are issued a charter or filing number. You may obtain further information by calling SOS at 512-463-5555.

DUNS Number

Most businesses have a DUNS (Data Universal Numbering System) number issued by Dun and Bradstreet Corp. If this customer has one, enter it here.

Section 2. APPLICATION CONTACT

Provide the name and contact information for the person that TCEQ can contact for additional information regarding this application.

Section 3. REGULATED ENTITY (RE) INFORMATION ON PROJECT OR SITE

a) Regulated Entity Number (RN)

The RN is issued by TCEQ's Central Registry to sites where an activity is regulated by TCEQ. This is not a permit number, registration number, or license number. Search TCEQ's Central Registry to see if the site has an assigned RN at <http://www15.tceq.texas.gov/crpub/>. If this regulated entity has not been assigned an RN, leave this space blank.

If the site of your business is part of a larger business site, an RN may already be assigned for the larger site. Use the RN assigned for the larger site.

If the site is found, provide the assigned RN and provide the information for the site to be authorized through this application. The site information for this authorization may vary from the larger site information.

An example is a chemical plant where a unit is owned or operated by a separate corporation that is accessible by the same physical address of your unit or facility. Other examples include industrial parks identified by one common address but different corporations have control of defined areas within the site. In both cases, an RN would be assigned for the physical address location and the permitted sites would be identified separately under the same RN.

b) Name of the Project or Site

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

c) Description of Activity Regulated

In your own words, briefly describe the primary business that you are doing that requires this authorization. Do not repeat the SIC Code description.

d) County

Provide the name of the county where the site or project is located. If the site or project is located in more than one county, provide the county names as secondary.

e) Latitude and Longitude

Enter the latitude and longitude of the site in degrees, minutes, and seconds or decimal form. For help obtaining the latitude and longitude, go to:

<http://www.tceq.texas.gov/gis/sqmaview.html>.

f) Site Address/Location

If a site has an address that includes a street number and street name, enter the complete address for the site in *Section A*. If the physical address is not recognized as a USPS delivery address, you may need to validate the address with your local police (911 service) or through an online map site used to locate a site. Please confirm this to be a complete and valid address. Do not use a rural route or post office box for a site location.

If a site does not have an address that includes a street number and street name, provide a complete written location description in *Section B*. For example: "The site is located on the north side of FM 123, 2 miles west of the intersection of FM 123 and Highway 1."

Provide the city (or nearest city) and zip code of the site location.

Section 4. GENERAL CHARACTERISTICS

a) Indian Country Lands

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 6, Dallas. Do not submit this form to TCEQ.

b) Construction activity associated with facility associated with exploration, development, or production of oil, gas, or geothermal resources

If your activity is associated with oil and gas exploration, development, or production, you may be under jurisdiction of the Railroad Commission of Texas (RRC) and may need to obtain authorization from EPA Region 6.

Construction activities associated with a facility related to oil, gas or geothermal resources may include the construction of a well site; treatment or storage facility; underground hydrocarbon or natural gas storage facility; reclamation plant; gas processing facility; compressor station; terminal facility where crude oil is stored prior to refining and at which refined products are stored solely for use at the facility; a

carbon dioxide geologic storage facility; and a gathering, transmission, or distribution pipeline that will transport crude oil or natural gas, including natural gas liquids, prior to refining of such oil or the use of the natural gas in any manufacturing process or as a residential or industrial fuel.

Where required by federal law, discharges of stormwater associated with construction activities under the RRC's jurisdiction must be authorized by the EPA and the RRC, as applicable. Activities under RRC jurisdiction include construction of a facility that, when completed, would be associated with the exploration, development, or production of oil or gas or geothermal resources, such as a well site; treatment or storage facility; underground hydrocarbon or natural gas storage facility; reclamation plant; gas processing facility; compressor station; terminal facility where crude oil is stored prior to refining and at which refined products are stored solely for use at the facility; a carbon dioxide geologic storage facility under the jurisdiction of the RRC; and a gathering, transmission, or distribution pipeline that will transport crude oil or natural gas, including natural gas liquids, prior to refining of such oil or the use of the natural gas in any manufacturing process or as a residential or industrial fuel. The RRC also has jurisdiction over stormwater from land disturbance associated with a site survey that is conducted prior to construction of a facility that would be regulated by the RRC. Under 33 U.S.C. §1342(l)(2) and §1362(24), EPA cannot require a permit for discharges of stormwater from field activities or operations associated with {oil and gas} exploration, production, processing, or treatment operations, or transmission facilities, including activities necessary to prepare a site for drilling and for the movement and placement of drilling equipment, whether or not such field activities or operations may be considered to be construction activities unless the discharge is contaminated by contact with any overburden, raw material, intermediate product, finished product, byproduct, or waste product located on the site of the facility. Under §3.8 of this title (relating to Water Protection), the RRC prohibits operators from causing or allowing pollution of surface or subsurface water. Operators are encouraged to implement and maintain best management practices (BMPs) to minimize discharges of pollutants, including sediment, in stormwater during construction activities to help ensure protection of surface water quality during storm events.

For more information about the jurisdictions of the RRC and the TCEQ, read the Memorandum of Understanding (MOU) between the RRC and TCEQ at 16 Texas Administrative Code, Part 1, Chapter 3, Rule 3.30, by entering the following link into an internet browser:

[http://texreg.sos.state.tx.us/public/readtac\\$ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=16&pt=1&ch=3&rl=30](http://texreg.sos.state.tx.us/public/readtac$ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=16&pt=1&ch=3&rl=30) or contact the TCEQ Stormwater Team at 512-239-4671 for additional information.

c) Primary Standard Industrial Classification (SIC) Code

Provide the SIC Code that best describes the construction activity being conducted at this site.

Common SIC Codes related to construction activities include:

- 1521 - Construction of Single Family Homes
- 1522 - Construction of Residential Buildings Other than Single Family Homes
- 1541 - Construction of Industrial Buildings and Warehouses

- 1542 - Construction of Non-residential Buildings, other than Industrial Buildings and Warehouses
- 1611 - Highway and Street Construction, except Highway Construction
- 1622 - Bridge, Tunnel, and Elevated Highway Construction
- 1623 - Water, Sewer, Pipeline and Communications, and Power Line Construction

For help with SIC Codes, enter the following link into your internet browser: <http://www.osha.gov/pls/imis/sicsearch.html> or you can contact the TCEQ Small Business and Local Government Assistance Section at 800-447-2827 for assistance.

d) Secondary SIC Code

Secondary SIC Code(s) may be provided. Leave this blank if not applicable. For help with SIC Codes, enter the following link into your internet browser: <http://www.osha.gov/pls/imis/sicsearch.html> or you can contact the TCEQ Small Business and Environmental Assistance Section at 800-447-2827 for assistance.

e) Total Number of Acres Disturbed

Provide the approximate number of acres that the construction site will disturb. Construction activities that disturb less than one acre, unless they are part of a larger common plan that disturbs more than one acre, do not require permit coverage. Construction activities that disturb between one and five acres, unless they are part of a common plan that disturbs more than five acres, do not require submission of an NOI. Therefore, the estimated area of land disturbed should not be less than five, unless the project is part of a larger common plan that disturbs five or more acres. Disturbed means any clearing, grading, excavating, or other similar activities.

If you have any questions about this item, please contact the stormwater technical staff by phone at 512-239-4671 or by email at swgp@tceq.texas.gov.

f) Common Plan of Development

Construction activities that disturb less than five acres do not require submission of an NOI unless they are part of a common plan of development or for sale where the area disturbed is five or more acres. Therefore, the estimated area of land disturbed should not be less than five, unless the project is part of a larger common plan that disturbs five or more acres. Disturbed means any clearing, grading, excavating, or other similar activities.

For more information on what a common plan of development is, refer to the definition of “Common Plan of Development” in the Definitions section of the general permit or enter the following link into your internet browser:

www.tceq.texas.gov/permitting/stormwater/common_plan_of_development_steps.html

For further information, go to the TCEQ stormwater construction webpage enter the following link into your internet browser: www.tceq.texas.gov/goto/construction and search for “Additional Guidance and Quick Links”. If you have any further questions about the Common Plan of Development you can contact the TCEQ Stormwater Team at 512-239-4671 or the TCEQ Small Business and Environmental Assistance at 800-447-2827.

g) Estimated Start Date of the Project

This is the date that any construction activity or construction support activity is initiated at the site. If renewing the permit provide the original start date of when construction activity for this project began.

h) Estimated End Date of the Project

This is the date that any construction activity or construction support activity will end and final stabilization will be achieved at the site.

i) Will concrete truck washout be performed at the site?

Indicate if you expect that operators of concrete trucks will washout concrete trucks at the construction site.

j) Identify the water body(s) receiving stormwater runoff

The stormwater may be discharged directly to a receiving stream or through a MS4 from your site. 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 water body that receives the discharge from the site (a local stream or lake).

If your site has more than one outfall you need to include the name of the first water body for each outfall, if they are different.

k) Identify the segment number(s) of the classified water body(s)

Identify the classified segment number(s) receiving a discharge directly or indirectly. Enter the following link into your internet browser to find the segment number of the classified water body where stormwater will flow from the site:

www.tceq.texas.gov/waterquality/monitoring/viewer.html or by contacting the TCEQ Water Quality Division at (512) 239-4671 for assistance.

You may also find the segment number in TCEQ publication GI-316 by entering the following link into your internet browser: www.tceq.texas.gov/publications/gi/gi-316 or by contacting the TCEQ Water Quality Division at (512) 239-4671 for assistance.

If the discharge is into an unclassified receiving water and then crosses state lines prior to entering a classified segment, select the appropriate watershed:

- 0100 (Canadian River Basin)
- 0200 (Red River Basin)
- 0300 (Sulfur River Basin)
- 0400 (Cypress Creek Basin)
- 0500 (Sabine River Basin)

Call the Water Quality Assessments section at 512-239-4671 for further assistance.

l) Discharge into MS4 – Identify the MS4 Operator

The discharge may initially be into a municipal separate storm sewer system (MS4). If the stormwater discharge is into an MS4, provide the name of the entity that operates the MS4 where the stormwater discharges. An MS4 operator is often a city, town, county, or utility district, but possibly can be another form of government. Please note that the Construction General Permit requires the Operator to supply the MS4 with a

copy of the NOI submitted to TCEQ. For assistance, you may call the technical staff at 512-239-4671.

m) Discharges to the Edwards Aquifer Recharge Zone and Certification

The general permit requires the approved Contributing Zone Plan or Water Pollution Abatement Plan to be included or referenced as a part of the Stormwater Pollution Prevention Plan.

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 by entering the following link into an internet browser: www.tceq.texas.gov/field/eapp/viewer.html or by contacting the TCEQ Water Quality Division at 512-239-4671 for assistance.

If the discharge or potential discharge is within the Recharge Zone, Contributing Zone, or Contributing Zone within the Transition Zone of the Edwards Aquifer, a site-specific authorization approved by the Executive Director under the Edwards Aquifer Protection Program (30 TAC Chapter 213) is required before construction can begin.

For questions regarding the Edwards Aquifer Protection Program, contact the appropriate TCEQ Regional Office. For projects in Hays, Travis and Williamson Counties: Austin Regional Office, 12100 Park 35 Circle, Austin, TX 78753, 512-339-2929. For Projects in Bexar, Comal, Kinney, Medina and Uvalde Counties: TCEQ San Antonio Regional Office, 14250 Judson Rd., San Antonio, TX 78233-4480, 210-490-3096.

Section 5. NOI CERTIFICATION

Note: Failure to indicate Yes to all of the certification items may result in denial of coverage under the general permit.

a) Certification of Understanding the Terms and Conditions of Construction General Permit (TXR150000)

Provisional coverage under the Construction General Permit (TXR150000) begins 7 days after the completed paper NOI is postmarked for delivery to the TCEQ. Electronic applications submitted through ePermits have immediate provisional coverage. You must obtain a copy and read the Construction General Permit before submitting your application. You may view and print the Construction General Permit for which you are seeking coverage at the TCEQ web site by entering the following link into an internet browser: www.tceq.texas.gov/goto/construction or you may contact the TCEQ Stormwater processing Center at 512-239-3700 for assistance.

b) Certification of Legal Name

The full legal name of the applicant as authorized to do business in Texas is required. 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.

c) Understanding of Notice of Termination

A permittee shall terminate coverage under the Construction General Permit through the submittal of a NOT when the operator of the facility changes, final stabilization has

been reached, the discharge becomes authorized under an individual permit, or the construction activity never began at this site.

d) Certification of Stormwater Pollution Prevention Plan

The SWP3 identifies the areas and activities that could produce contaminated runoff at your site and then tells how you will ensure that this contamination is mitigated. For example, in describing your mitigation measures, your site's plan might identify the devices that collect and filter stormwater, tell how those devices are to be maintained, and tell how frequently that maintenance is to be carried out. You must develop this plan in accordance with the TCEQ general permit requirements. This plan must be developed and implemented before you complete this NOI. The SWP3 must be available for a TCEQ investigator to review on request.

Section 6. APPLICANT CERTIFICATION SIGNATURE

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 TCEQ'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

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

Instructions:

- 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 either of the following:

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 or 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: TXR150000

1. Check or 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 or 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 application entries!**

If there is not enough space on the form to list all of the projects or sites the authorization will cover, then attach a list of the additional sites.

Project/Site (RE) Name:

Project/Site (RE) Physical Address:

Staple the check or money order to this form in this space.