

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Jon Niermann, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 27, 2016

Mr. Glenn Morrison, City Manager
C/O Ms. Kristina Ramirez, P.E., CFM, Director of Environmental Services
City of Killeen
P.O. Box 1329
Killeen, Texas 76540

Re: City of Killeen MS4 Phase II MS4 – Year 2 Annual Report Review
TPDES Permit Authorization No. TXR040010
(CN600674683; RN105477020)

Dear Mr. Morrison:

We have received the annual report for the City of Killeen MS4 that was submitted on December 11, 2015, for the Year 2 reporting period for the above-referenced permit authorization. We have performed an administrative and technical review of this report. The annual report appears to include all of the required information and is considered complete.

For your reference, we have attached a copy of the checklist we utilized for this review. Please note that additional information may be requested in the future as part of an inspection or an audit to determine whether adequate progress is being made towards implementation of the approved municipal separate storm sewer system (MS4) Stormwater Management Program (SWMP).

If there are any differences between the approved SWMP and the information provided in this annual report or future reports, you must submit a Notice of Change (NOC) form (TCEQ-20392), as required by the Phase II MS4 General Permit (TXR040000).

The annual report is due within 90 days of each reporting year as specified in your Notice of Intent (NOI). The Texas Commission on Environmental Quality (TCEQ) has an annual report form (TCEQ-20561) available, and the MS4 operators must use the template when preparing and submitting subsequent reports (See Part IV.B.2 of the general permit). This will greatly assist us in reviewing the reports and will help to insure that you include all the required elements. The form is available at the TCEQ website at: https://www.tceq.texas.gov/search_forms.html. After you open the webpage scroll to *Current Form Search*. Enter *20561* in the box under *Form Number* and click on *Submit* to download the annual report form.

Mr. Glenn Morrison, City Manager
Page 2
July 27, 2016

Please make sure to also forward a copy of your annual reports to your local TCEQ regional office. If we have asked you to make changes to the annual report during our review process, please submit the updated annual report to your local regional office

Finally, please be aware that discharges of the pollutant(s) of concern to impaired water bodies for which there is a total maximum daily load (TMDL) implementation plan are not eligible for coverage under the Phase II MS4 General Permit unless they are consistent with the approved TMDL and the associated implementation plan. Permitted MS4 operators must incorporate the limitations, conditions and requirements applicable to their discharges, including monitoring frequency and reporting required by TCEQ rules, into their SWMP in order to continue to be eligible for coverage under the general permit. If the discharge is no longer eligible for coverage under the Phase II MS4 General Permit, then the MS4 operator would be required to apply for and receive an individual TPDES permit.

If you have any questions about the information in this letter, please do not hesitate to contact Mr. Dan Siebeneicher of the Stormwater & Pretreatment Team at (512) 239-4749.

Sincerely,



Dan Siebeneicher, Permit Writer
Stormwater & Pretreatment Team (MC-148)
Water Quality Division
Texas Commission on Environmental Quality

Attachment: Review Checklist

ERD/VL/fc

MS4 Phase 2 Annual Report Checklist

Permit Number: TXR040010

Annual Reporting Year: 2

Reporting year is based on:

Calendar year __, Permit year __; Fiscal Year X

10/01/2014-09/30/2015

Last day of fiscal year:09/30/2015

Permittee(s): City of Killeen

<i>Check if Additional Information Is Required</i>	<i>Indicate Yes, No, or NA</i>		
		I.	SWMP Overview
		A.	Signature and Certification:
YES	1.		Does the signature meet the requirements of 30 TAC Section 305.128? <i>For a municipality, state, federal, or other public agency, the report must be signed by either a principal executive officer or a ranking elected official, or by a person who has been properly authorized.</i>
YES	2.		Does the report include the following certification statement? "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."
N/A	3.		For a shared SWMP, is this a system-wide annual report that includes all permittees?
N/A	4.		If yes, did all permittees sign the report and were all of the above signatory requirements were met?
YES	5.		If applicable, does the report indicate that the permittee is relying on another entity/ies to satisfy some of its permit obligations?
YES	6.		Did the permittee submit a copy of the annual report or cc: the TCEQ regional office?
		II.	SWMP Implementation
YES	A.		Does the report include information on the status of compliance with permit conditions?
YES	B.		Does the report include an assessment of the effectiveness of the identified BMPs?
YES	C.		Does the report include information on progress towards reducing the discharge of pollutants to the maximum extent practicable (MEP)?
YES	D.		Does the report include a summary of the results of any information (including monitoring data) that was collected and analyzed to assess the success of the SWMP at reducing the discharge of pollutants to the MEP?
YES	E.		Does the report list the measurable goals for each Minimum Control Measure (MCM)?

MS4 Phase 2 Annual Report Checklist

Permit Number: TXR040010

Annual Reporting Year: 2

Reporting year is based on:

Calendar year __, Permit year __; Fiscal Year X

10/01/2014-09/30/2015

Last day of fiscal year:09/30/2015

Permittee(s): City of Killeen

<i>Check if Additional Information Is Required</i>	<i>Indicate Yes, No, or NA</i>	I.	SWMP Overview
		A.	Signature and Certification:
YES	1.		Does the signature meet the requirements of 30 TAC Section 305.128? <i>For a municipality, state, federal, or other public agency, the report must be signed by either a principal executive officer or a ranking elected official, or by a person who has been properly authorized.</i>
YES	2.		Does the report include the following certification statement? "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."
N/A	3.		For a shared SWMP, is this a system-wide annual report that includes all permittees?
N/A	4.		If yes, did all permittees sign the report and were all of the above signatory requirements were met?
YES	5.		If applicable, does the report indicate that the permittee is relying on another entity/ies to satisfy some of its permit obligations?
YES	6.		Did the permittee submit a copy of the annual report or cc: the TCEQ regional office?
		II.	SWMP Implementation
YES	A.		Does the report include information on the status of compliance with permit conditions?
YES	B.		Does the report include an assessment of the effectiveness of the identified BMPs?
YES	C.		Does the report include information on progress towards reducing the discharge of pollutants to the maximum extent practicable (MEP)?
YES	D.		Does the report include a summary of the results of any information (including monitoring data) that was collected and analyzed to assess the success of the SWMP at reducing the discharge of pollutants to the MEP?
YES	E.		Does the report list the measurable goals for each Minimum Control Measure (MCM)?

		<i>If no, explain what is missing:</i>
YES	F.	Does the report evaluate the success of implementing all of the measurable goals?
		<i>If no, explain what is missing:</i>
YES	G.	If applicable, does the report include the status of any additional control measures implemented by the permittee?
		III. Impaired Waterbodies
YES	A.	If applicable, does the report include a summary of any activities taken to address discharges to impaired waterbodies, including any sampling results and a summary of the small MS4s BMPs used to address the pollutant of concern?
N/A	B.	If applicable, does the report describe the implementation of targeted controls if the MS4 discharges to an impaired waterbody with an approved TMDL?
N/A	C.	If applicable, does the report include the benchmark value and assessment activities?
N/A	D.	If applicable, does the report include an analysis of how the BMPs will be effective in contributing to achieving the benchmark value?
YES	E.	If applicable, does the report include focused BMPs to address the impairment?
N/A	F.	If applicable, does the report include the progress in achieving the benchmark?
		IV. Construction:
YES	A.	Does the report include the number of construction activities (other than those where the permittee was the operator) that occurred within the regulated area?
NO	B.	Does the permittee utilize the 7th MCM? If yes, answer a. and b. below:
N/A	1.	Does the report include the number of municipal construction activities?
N/A	2.	Does the report include the total number of acres disturbed for municipal construction projects?
		V. SWMP Revisions
YES	A.	Does this report include any proposed changes to the SWMP in the coming reporting year?
		<i>If yes:</i>
YES	1.	Does the annual report indicate that a notice of change (NOC) was submitted?
N/A	2.	If no, was the SWMP approved before the date that the annual report was submitted?
NO	3.	Is additional review required to determine if changes can be approved?
		VI. Next Permit Year
YES		Does the annual report include a summary of the storm water activities that the permittee plans to undertake during the next permit year?

Additional Comments:

Reviewed by: E. Dickinson 01/13/2016