

TCEQ reissues the Construction General Permit for Stormwater Discharges

The new general permit to authorize stormwater discharges from construction activities was approved by the commissioners of the Texas Commission on Environmental Quality on February 7th with an effective date of March 5, 2018.

Operators of currently permitted construction activities disturbing 5 or more acres must implement a new or updated Stormwater Pollution Prevention Plan, post a new Site Notice, and renew permit coverage within 90 days of the new permit's effective date. Operators of small construction activities disturbing 1 to 5 acres must implement a new or updated SWP3 and post a new Site Notice within 90 days of the new permit's effective date. Operators of both large and small construction activities occurring within the boundaries of a Municipal Separate Storm Sewer System must also notify the MS4 operator by providing a copy of their new authorization certificate or Site Notice as applicable.

Permit coverage must be renewed after the new permit's effective date of March 5th and before June 5th which is the end of the 90-day grace period. If you reapply too early, you will have duplicate coverage under the expiring CGP. If you reapply too late or not at all, your site will be subject to enforcement action and a financial penalty. Renewal of coverage at your site may not be required only if all construction activities have ceased and the site reaches final stabilization before June 5th.

Renewal applications may be submitted by mail or online through the State of Texas Environmental Electronic Reporting System at: <https://www3.tceq.texas.gov/steers/>. You must use the exact business name that is registered with the Texas Comptroller of Public Accounts. To submit forms online, you must first create an account by submitting a STEERS Participation Agreement using your Texas driver's license number. Those with an out-of-state driver's license must submit the Participation Agreement by mail. The STEERS Help Desk can be reached at 512-239-6925.

Significant changes to the new CGP include:

- adding and revising several definitions to clarify permitting requirements;
- revising the limitation for permit coverage for construction activities related to oil and gas production;
- adding clarification regarding redacted signatures for small construction site notices and secondary operator site notices for large construction sites;
- revising the benchmark monitoring levels for concrete batch-mixing plants;
- clarification for the requirements of primary operators of large construction activities related to SWP3 development and implementation;
- **all CGP forms must be submitted online as of September 1, 2018**

If you need further assistance, please call the TCEQ's Small Business and Local Government Assistance compliance hotline at 1-800-447-2827.

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