

**Phase II Stormwater  
Management Program  
(SWMP)**

Prepared for:



**City of Tyler**

P.O. Box 2039  
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511 West Locust  
Tyler, Texas 75702

**TXR040041**

**For  
Stormwater Discharges from Phase  
II (Small)  
Municipal Separate Storm Sewer  
Systems (MS4)**

**Per  
Texas Pollution Discharge  
Elimination System (TPDES)  
General Permit TXR040000**

July 2019 (GP 01/24/2019)  
July 2017, Revision 1  
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## LIST OF ACRONYMS

AST	Aboveground Storage Tank
BMP	Best Management Practice
C	Construction BMP
CFR	Code of Federal Regulations
CGP	Construction General Permit
CWA	Clean Water Act
EPA	Environmental Protection Agency
ETCOG	East Texas Council of Governments
ETJ	Extra-Territorial Jurisdiction
FBO	Fleet Based Operators
FOG	Fats, Oils, and Grease
GH	Good Housekeeping BMP
GIS	Geographic Information System
ID	Illicit Discharge BMP
IDDE	Illicit Discharge Detection and Elimination
ILA	Inter-Local Agreement
ISD	Independent School District
MCM	Minimum Control Measure
MS4	Municipal Separate Storm Sewer System
MEP	Maximum Extent Practicable
MSGP	Multi-Sector General Permit
NOC	Notice of Change
NOI	Notice of Intent
NOT	Notice of Termination
NPDES	National Pollutant Discharge Elimination System
O&M	Operation and Maintenance
OSSF	On-Site Sewage Facilities
PE	Public Education BMP
PI	Public Involvement BMP
PC	Post-Construction BMP
POTW	Publicly Owned Treatment Works
PP	Pollution Prevention
ROW	Right-of-Way
SDS	Safety Data Sheet
SOP	Standard Operating Procedures
SPCC	Spill Prevention Control and Countermeasure
SWMP	Stormwater Management Program
SWP3	Stormwater Pollution Prevention Plan
TAC	Texas Administrative Code
TCEQ	Texas Commission on Environmental Quality
TIAER	Texas Institute for Applied Environmental Research
TMDL	Total Maximum Daily Load
TPDES	Texas Pollutant Discharge Elimination System
TSWQS	Texas Surface Water Quality Standards

UA	Urbanized Area
UAA	Use Attainability Analysis
U.S.	United States
UST	Underground Storage Tank

## 1. PURPOSE OF PROGRAM

The objective of this Stormwater Management Program (SWMP) is to implement a program with which the City of Tyler can reduce the discharge of pollutants in stormwater to the maximum extent practicable (MEP) from its Municipal Separate Storm Sewer System (MS4). This program was originally developed in 2007, with much coordination between the City and the community, to customize a program for Tyler that not only meets state and federal program requirements, but also utilizes current activities, addresses issues that are important to the community, and is economically feasible.

This revised plan for our third permit cycle is based on a review of the City's current program including an evaluation of the effectiveness of the Best Management Practices (BMPs) during the second permit cycle that utilized the plan developed in 2014. This revised SWMP has been modified as necessary to meet permit requirements as promulgated by the General Permit to Discharge Under the Texas Pollutant Discharge System, TXR040000 (GP), and became effective on 24 January 2019.

A copy of the City of Tyler City Council agenda for adoption of the SWMP revisions, and the accompanying Interlocal Agreement (ILA) with Smith County, are included in **Appendix A**. The City Manager has signatory authority by City code to act as the chief executive and administrative officer for the City. A copy of the City code which outlines the duties and responsibilities of the City Manager are also included in **Appendix A**.

## 2. DESCRIPTION OF AREA PROPOSED FOR PERMIT COVERAGE

### 2.1. Tyler Area Description and Urbanized Area Boundaries

An urbanized area (UA), as defined in the GP, is “[a]n area of high population density that may include multiple small MS4s as defined and used by the U.S. Census Bureau in the 2000 and 2010 Decennial Census”. The U.S. Census Bureau considers an UA to include “urbanized areas (UAs)” of 50,000 or more people, and “urbanized clusters (UCs)” of at least 2,500 and less than 50,000 people; the population density is at least 500 people per square mile.

A figure depicting the regulated UA, as determined by the 2010 Decennial Census by the U.S. Bureau of Census for Tyler, Texas, is provided in **Appendix B. Figure 1** depicts a comparison of the 2000 and 2010 UA extents. The regulated portion of the small MS4 is defined as the portions located within either the 2000 or 2010 UA. Hence, the regulated UA is the farthest extent of either UA, which is depicted in **Figure 2**.

The Tyler, Texas UA expanded from 37,039 acres in 2000 to 58,330 acres in 2010. The regulated UA is based on the farthest extent of both the 2000 and 2010 UA and consists of 62,623 acres and encompasses portions of the Cities of Tyler, Whitehouse, Bullard, and Smith County.

### 2.2. Tyler Population and MS4 Classification

According to the U.S. Bureau of Census, the population of Tyler, Texas was 96,900 in 2010 ([http://factfinder2.census.gov/faces/nav/jsf/pages/community\\_facts.xhtml](http://factfinder2.census.gov/faces/nav/jsf/pages/community_facts.xhtml)). The revised GP issued by the Texas Commission on Environmental Quality (TCEQ) on 24 January 2019 classifies MS4s based on their population served within the 2010 UA. Based on the 2010 census population data, the City of Tyler is a Level 3 MS4. Thus, the Level 3 MS4 requirements as defined in the GP, govern the requirements of the Tyler SWMP.

### 2.3. Adjacent/Enclave MS4s

Per the GP, an MS4 is “[a] conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, [and/or storm drains])” that is owned and operated by a jurisdiction for the collection and conveyance of stormwater, and is not a combined sewer or publicly owned treatment works (POTW). Non-traditional MS4s that may also be regulated include military bases, large hospitals or prison complexes, highways, and other thoroughfares.

The following jurisdictions are MS4s that are located in Smith County:

- City of Bullard – No MS4 Permit per the TCEQ website
- City of Tyler – TXR040041
- City of Whitehouse - TXR04049

- Smith County – TXR04004
- Texas Department of Transportation – TXR040170
- The University of Texas at Tyler – TXR040335

## 2.4. Receiving Waters

There are several water bodies that receive discharges either directly or indirectly from the City of Tyler’s MS4. These receiving waters are listed below:

- Black Fork Creek
- Butler Creek
- Gilley Creek
- Harris Creek
- Henshaw Creek
- Hill Creek
- Indian Creek
- Neches River
- Shackleford Creek
- West Mud Creek
- Willow Creek

See **Figure 3** located in **Appendix C, Receiving Waterbodies**.

## 2.5. Pollutants of Concern

A review of federal, state, and local water quality monitoring programs was conducted to identify any water quality impairments and pollutants of concern. Three (3) designated waterbodies of the state receive stormwater runoff directly from the City of Tyler’s UA. The TCEQ designated segments include West Mud Creek (unclassified segment 0611D) and Black Fork Creek (unclassified segments 0606C and 0606D). The most recent Environmental Protection Agency (EPA) approved 303(d) list, 2016 303(d) list (approved by the EPA on 17 October 2018) includes water quality impairments and concerns for these designated segments. **Figure 4** located in **Appendix C** depicts the classified and unclassified stream segments.

The upper 3.2 miles of Black Fork Creek (unclassified segment 0606C) is defined by TCEQ as an intermittent stream with perennial pools from a point 0.4 km downstream of FM 14 to a point 0.2 km upstream of SH 31 in the City of Tyler. The lower 10.1 miles of Black Fork Creek (unclassified segment 0606D) is defined by TCEQ as a perennial stream that extends from its confluence with Prairie Creek to a point 0.4 km downstream of FM 14 in Tyler. Black Fork Creek receives runoff from the northern portion of Tyler. According to TCEQ, the lower unclassified segment of Black Fork Creek (Segment 0606D) is impaired for primary contact recreational use due to elevated bacteria concentrations and is listed in the 2016 303(d) list. Black Fork Creek is first listed on the 2012 303(d) list. Black Fork Creek was designated by TCEQ as category 5c on the 303(d) list, meaning that additional data or information will be collected by TCEQ before a management strategy is selected. A Total Maximum Daily Load (TMDL) has not been developed for Segment 0606D.

West Mud Creek receives stormwater runoff from the southern portion of Tyler’s UA. Designated by TCEQ as an unclassified segment 0611D, West Mud Creek extends from the confluence with Mud Creek in Cherokee County to the confluence of an



unnamed tributary 300 meters upstream of the most northern crossing of US 69 (approximately 2.25 km south of the intersection of Loop 323) in the City of Tyler. West Mud Creek is listed on the 2016 303(d) list as having impaired primary contact recreational use due to elevated bacteria concentrations. West Mud Creek was first listed for bacteria in 2010. West Mud Creek (Segment 0611D) was designated by TCEQ as category 5b on the 303(d) list meaning that TCEQ will conduct a review of the water quality standards before a management strategy is selected. A Use Attainability Assessment (UAA) is underway for this segment. Texas Institute for Applied Environmental Research (TIAER) is performing the UAA. A TMDL has not been developed for Segment 0611D.

Water quality concerns were identified based on a review of the TCEQ 2016 305(b) integrated water quality assessment report and the 2016 303(d) list. Based on this review, the following water quality parameters are perceived to be a concern in the Tyler area:

Black Fork Creek (0606D\_02)

- Bacteria

West Mud Creek (0611D\_01)

- Bacteria
- Nutrients (Nitrate)

According to TCEQ, the sources of bacteria in Black Fork Creek (Segment 0606D) are unknown. Previously nutrients (ammonia) was listed as a concern with municipal point source discharges listed as the potential source; ammonia is no longer listed as a concern for Black Fork Creek. The source of bacteria in West Mud Creek (Segment 0611D) were identified by TCEQ as originating from nonpoint sources including wet weather discharges and wildlife sources other than waterfowl. Sources of nitrate in Segment 0611D were identified as originating from both nonpoint sources and municipal point source discharges.

“Pollutants of Concern” as defined in the Small MS4 General Permit include “any pollutant that has been identified as a cause of impairment of any water body that will receive a discharge from an MS4. Based on this definition, nutrients are not considered a pollutant of concern. The only pollutant of concern is bacteria.

The City of Tyler considered the pollutant of concern (i.e., bacteria) in their selection of BMPs for Tyler’s SWMP. Although neither segment that receives permitted discharges directly from the City of Tyler’s MS4 have an approved TMDL, the Small MS4 General Permit has special requirements for discharges to impaired segments. According to Part II.D.4(b), any permittees that discharge to an impaired segment without an approved TMDL must perform the following activities:

1. The permittee shall determine whether the small MS4 may be a source of the pollutant(s) of concern by referring to the CWA §303(d) list and then determining if discharges from the MS4 would be likely to contain the pollutant(s) of concern at levels of concern.
2. If the permittee determines that the small MS4 may discharge the pollutant(s) of concern to an impaired water body without an approved TMDL, the permittee

shall ensure that the SWMP includes focused BMPs, along with corresponding measurable goals, that the permittee will implement to reduce the discharge of pollutant(s) of concern that contribute to the impairment of the water body.

3. In addition, the permittee shall submit a Notice of Change (NOC) to amend the SWMP in accordance with Part II.E.6 to include any additional BMPs to address the pollutant(s) of concern. Copies of said NOC(s), if required, will be kept in **Appendix F**.

Additionally, if the impairment is for bacteria, the permittee must identify potential significant sources and develop and implement focused BMPs for those sources. According to the Small MS4 General Permit, the City may implement the following BMPs to address bacteria sources or propose alternative BMPs, as appropriate:

1. Sanitary Sewer Systems
  - a. Make improvements to sanitary sewers to reduce overflows;
  - b. Address lift station inadequacies;
  - c. Improve reporting of overflows; and
  - d. Strengthen sanitary sewer use requirements to reduce blockage from fats, oils, and grease.
2. On-site Sewage Facilities (for entities with appropriate jurisdiction)
  - a. Identify and address failing systems; and
  - b. Address inadequate maintenance of On-Site Sewage Facilities (OSSFs).
3. Illicit Discharges and Dumping
  - a. Place additional effort to reduce waste sources of bacteria; for example, from septic systems, grease traps, and grit traps.
4. Animal Sources
  - a. Expand existing management programs to identify and target animal sources such as zoos, pet waste, and horse stables.
5. Residential Education  
Increase focus to educate residents on:
  - a. Bacteria discharging from a residential site either during runoff events or directly;
  - b. Fats, oils, and grease clogging sanitary sewer lines and resulting overflows;
  - c. Maintenance and operation of decorative ponds; and
  - d. Proper disposal of pet waste.

This updated SWMP includes BMPs that address each of the five (5) categories listed above.

1. Sanitary Sewer Systems
  - a. **BMP ID-5** addresses sanitary sewer overflows through daily inspection and preventative maintenance of lift stations, CCTV inspection of sanitary sewer lines, and cleaning of over 400,000 feet of sanitary sewer pipe per year.
  - b. The City has a Fats, Oils, and Grease (FOG) literature that is used to educate the public regarding proper disposal. The literature is distributed at several locations throughout the City (see **BMP PE/PI-2**).
  - c. The City also has a new FOG ordinance. Enforcement includes proper grease/grit reduction device (GRD) design, installation, operation, and

maintenance, and is performed by plan review and inspections (see **BMP ID-10**); ID-10 was formerly Pet Waste Management – now it is ID-9.

2. On-site Sewage Facilities

- a. The City addresses failing septic systems cooperatively with Smith County through educational literature that is distributed to septic tank owners/operators on the proper maintenance practices (see **BMP ID-2**). The literature is given to septic tank pumpers to distribute to homeowners. The literature is cooperatively produced by both the City of Tyler and Smith County (see **BMP ID-6**); ID-6 was formerly Solid Waste Collection Events – now it is ID-8.

3. Illicit Discharges (Unauthorized Sewer Taps and/or Dumping)

- a. The City has an illicit discharge (ID) ordinance and aggressively investigates and prosecutes violators of the ordinance (see **BMPs ID-3 and ID-7**) through surveillance cameras posted at problem areas. The City also has an active program to detect (see **BMP ID-2**) and investigate illicit discharges (see **BMP ID-3**).
- b. In addition, the City provides City-wide collection events (**BMP ID-8**) to deter illegal dumping, encourages recycling (see **BMP GH-2**), offers opportunities to help, observe, and report on such ID violations (**BMP PE/PI-6 and PE/PI-8**), and promotes and educates (see **BMP PE/PI-1, PE/PI-2, PE/PI-3, PE/PI-4, PE/PI-5, PE/PI-7, and ID-1**).

4. Animal Sources

- a. The City has expanded its program to include animal sources through the implementation of a BMP to address pet waste (see **BMP ID-9**). The City has installed eight (8) pet waste stations at four (4) of its city parks to address animal waste sources. Literature addressing pet waste is distributed and available (see **BMP PE/PI-2**).

5. Residential Education

- a. The City has existing literature on Fats, Oils, and Grease (FOG), yard waste, pet waste, failing septic systems, illicit discharges, general stormwater information, water conservation, hazardous waste, and chemical disposal that it distributes at several locations throughout the City (see **BMP PE/PI-2**).

The City will continue to monitor and reevaluate all known sources of bacteria over the term of the permit to determine if additional targeted BMPs need to be added to the SWMP. Currently, all known sources of bacteria have been addressed through this revised SWMP.

**2.6. Other City Activities Requiring Stormwater Permit Coverage**

A Stormwater Pollution Prevention Plan (SWP3) is in place for industrial activities at the Oakwood Municipal Complex located at 410 W. Oakwood, Tyler, Smith County,

Texas as required for compliance with the requirements of the Texas Pollutant Discharge Elimination System (TPDES) Stormwater General Permit number TXR050000 relating to stormwater discharge associated with Industrial Activity. Said permit number is TXR05X206.

An SWP3 is in place for industrial activities at the Southside Waste Water Treatment Plant located at 400 Cumberland Road, Tyler, Smith County, Texas as required for compliance with the requirements of the TPDES Stormwater General Permit number TXR050000 relating to stormwater discharge associated with Industrial Activity. Said permit number is TXR05X204.

An SWP3 in in place for industrial activities at the Westside Waste Water Treatment Plant located at 14939 County Road 46, Tyler, Smith County, Texas as required for compliance with the requirements of the TPDES Stormwater General Permit number TXR050000 relating to stormwater discharge associated with Industrial Activity. Said permit number is TXR05X205.

An SWP3 in in place for industrial activities at the Tyler Pounds Regional Airport located at 700 Skyway Boulevard, Suite 201, Tyler, Smith County, Texas as required for compliance with the requirements of the TPDES Stormwater General Permit number TXR050000 relating to stormwater discharge associated with Industrial Activity. Said permit number is TXR05BK36.

The City of Tyler will also be required to obtain a construction general permit for any city construction activity, which disturbs one (1) or more acres of land in accordance with conditions of the Construction General Permit (CGP) No. TXR150000 for Construction Stormwater Runoff covering eligible stormwater and certain types of non-stormwater discharges to surface water in the State.

The location of City facilities with active stormwater permits is shown in **Figure 5** in **Appendix D**.

### **3. ACTIVITIES CONDUCTED IN SUPPORT OF PROGRAM DEVELOPMENT**

#### **3.1. Activities in Support of SWMP Revision**

Activities conducted during the review of the current SWMP, and updates to the same, included:

- Review of the City's existing stormwater management plan;
- Review of the City's stormwater related ordinances;
- Production and implementation of a new fats, oils, and grease (FOG) ordinance;
- Review of City facilities; and
- Conduction and attendance of meetings with City departments.

#### **3.2. City Departmental Meetings**

Meetings took place with various departments for the purpose of discussing what was working well, what needed to be adjusted in order to improve performance, and to train and educate about needed permit and enforcement changes. Meetings took place with:

- Engineering Services;
- Streets Department;
- Airport;
- Vehicle Equipment Services;
- Wastewater Treatment;
- Code Enforcement;
- Development Services (Building Inspection and Permits); and
- Solid Waste.

#### **3.3. City Facility Review**

Facilities inspected included:

- Tyler Pounds Regional Airport
- Oakwood Municipal Complex
  - Solid Waste Department
  - Recycling Facility
  - Vehicle Equipment Services Maintenance Garage
  - Vehicle Equipment Services Car Wash
  - Fuel Dispensing Area
  - Solid Waste Can/Truck Washing Facility
- Streets Department
  - Frankston Hwy Equipment/Material Storage Yard
  - Concrete Batch Plant
  - Loop 323 Material Storage Area (across from Water Utilities Service Center)
- Parks Department Locations

- Oakwood Maintenance Service Center
- Rose Hill Cemetery Maintenance Center
- Rose Garden Maintenance Center
- Faulkner Park Maintenance Facility
- Lindsey Park Maintenance Facility
- Tyler Water Utilities Service Center
- Westside Wastewater Treatment Plant
- Southside Wastewater Treatment Plant

## 4. SUMMARY OF PHASE II STORMWATER REGULATIONS AND PROGRAM REQUIREMENTS

### 4.1. Regulatory Chronology

The current effort to improve the water quality in the Nation's streams started in 1972 with the passage of the Clean Water Act (CWA). The main emphasis of this legislation was to establish a system to control pollution from point sources, with the goal of reducing pollutants so that the water in our lakes and streams is both fishable and swimmable. To achieve this goal, the CWA established the National Pollutant Discharge Elimination System (NPDES). The NPDES requires that anyone discharging a pollutant from a municipal wastewater or industrial point source must obtain an NPDES permit, which specifies effluent limits, monitoring requirements, and enforcement mechanisms.

The CWA also contains regulations to address pollution from diffuse non-point sources. The EPA defines non-point source pollution as "any pollution associated with diffuse land use activities that cumulatively results in water quality degradation." Phase I of the NPDES regulations required municipalities with populations over 100,000 to classify their stormwater runoff and develop programs to reduce the pollutants in their runoff.

On 8 December 1999, U.S. EPA promulgated regulations, known as Phase II, requiring permits for stormwater discharges from small MS4s and required small MS4s to obtain permit coverage by 10 March 2003. Since Texas has delegation authority to administer the NPDES program in the State, the TCEQ developed and released their draft TPDES Small MS4 General Permit on 1 September 2002 to meet the March 10<sup>th</sup> deadline.

A series of lawsuits followed the permit release, which ultimately ended up in the 9<sup>th</sup> Circuit Court. A suit brought by business groups, developers and a coalition of Texas cities and counties challenged the constitutionality of the Phase II regulations. On 14 January 2003, the U.S. 9<sup>th</sup> Circuit Court issued its decision in *Environmental Defense Center et al. vs. EPA*. The ruling upheld the Phase II regulations on all but 3 of the 20 issues that were contested. On 15 September 2003, the U.S. 9<sup>th</sup> Circuit Court of Appeals issued a revised panel decision, which denied all petitions for rehearing and remanded portions of the rule affecting small MS4s to the EPA. The Court found that portions of the federal regulations were not consistent with the CWA, because the Phase II rules did not address permitting authority review and public participation and notification. The three (3) issues that were remanded back to EPA required that the Notice of Intent (NOI) and SWMP be made available to the public and undergo meaningful review by the State to determine if the MEP standard is met, and there must be a process to accommodate public hearings.

An EPA guidance memo, dated 16 April 2004, was issued to permitting authorities and the TCEQ revised and released their second draft TPDES Small MS4 General Permit on 8 August 2005. After a second public comment period, the TCEQ revised and released the final TPDES Small MS4 General Permit on 13 August 2007.

The original general permit expired 12 August 2012 and the Small MS4 General Permit, TPDES Permit No. TXR040000, was reissued on 13 December 2013. This reissued permit expired 13 December 2018, and again was reissued 24 January 2019. All regulated entities (new and existing) will have 180 days to apply for coverage or a waiver under the general permit. The deadline for each regulated entity to submit a NOI and a new or revised (for existing regulated entities) SWMP is 23 July 2019.

## 4.2. TPDES Requirements

The TCEQ adopted the TPDES Small MS4 General Permit to authorize discharges of stormwater from small MS4s located in the state of Texas to Water of the U.S. This Small MS4 General Permit is briefly summarized below.

### 4.2.1. Permit Applicability and Coverage

This section of the Small MS4 General Permit states that an MS4 that is fully or partially within urbanized areas, as determined by the 2000 or 2010 Decennial Census by the U.S. Bureau of Census, is eligible for this permit and must obtain authorization for the discharge of stormwater runoff. Small MS4s seeking to obtain coverage pursuant to TPDES Small MS4 General Permit (TXR040000) are required to submit a completed NOI with a SWMP.

Operators of small MS4s that were previously covered under the TPDES general permit, must reapply for permit coverage by submitting an NOI and revised SWMP within one hundred and eighty (180) days following the effective date of the Small MS4 General Permit.

The revised TPDES Small MS4 General Permit became effective on 24 January 2019 and the deadline for submission of the NOI and SWMP is 23 July 2019. The Small MS4 General Permit requires that an application fee of \$400.00 be submitted with the NOI. A SWMP Cover Sheet must be completed and attached to the front of the SWMP. One (1) copy of the NOI and SWMP must be submitted to TCEQ. Effective 21 December 2020, submission must be done electronically. The signed NOI is provided in **Appendix E**. Documentation of the City Manager's signatory authority is included in **Appendix A**.

Upon notification from the TCEQ Office of Chief Clerk, the City will comply with public notice requirements by publishing notice in a newspaper of general circulation in Smith County. The Tyler Morning Telegraph is the newspaper of largest circulation. The notice will include the executive director's preliminary determination on the NOI and SWMP. The notice must also include the following information:

- The legal name of the MS4 operator;
- Identify whether the NOI is for a new authorization or a renewal of an existing authorization;
- The City's address;



- A brief summary of the information included in the NOI (general location and description of classified receiving waters that receive discharges from the small MS4);
- The location and mailing address for the public to provide comments to TCEQ;
- The public location where copies of the NOI and SWMP, as well as the executive director's general permit and fact sheet, may be reviewed; and
- If required by the executive director, the date, time, and location of the public meeting.

The public comment period begins on the first date that the notice is published and lasts for at least 30 days. If TCEQ determines that there is a significant public interest, the City will be instructed to publish a notice of public meeting and hold a public meeting in Smith County. The notice of public meeting must be published at least 30 days prior to the meeting. If a public meeting is held, then the public comment period ends at the closing of the public meeting. The City is required to file an affidavit of publication within 60 days of receiving written instructions from the Chief Clerk. Although TCEQ will facilitate the public meeting, the City will be required to present to the public the contents of the NOI and SWMP and provide maps, data, and a sign-in sheet for the public meeting.

#### 4.2.2. Allowable Non-Stormwater Discharges

The Small MS4 General Permit provides that certain non-stormwater sources may be discharged from the Small MS4 and are not required to be addressed in the Small MS4 operator's Illicit Discharge MCM, provided that these sources have *not* been determined by the operator or the TCEQ to be significant contributors of pollutants. These allowable non-stormwater discharges are listed below:

1. Water line flushing (excluding discharges of hyperchlorinated water, unless the water is first dechlorinated and discharges are not expected to adversely affect aquatic life);
2. Runoff or return flow from landscape irrigation, lawn irrigation, and other irrigation utilizing potable water, groundwater, or surface water sources;
3. Discharges from potable water sources that do not violate the Texas Surface Water Quality Standards (TSWQS);
4. Diverted stream flows;
5. Rising ground waters and springs;
6. Uncontaminated ground water infiltration;
7. Uncontaminated pumped ground water;
8. Foundation and footing drains;
9. Air conditioning condensation;
10. Water from crawl space pumps;
11. Individual residential vehicle washing;
12. Flows from wetlands and riparian habitats;
13. Dechlorinated swimming pool discharges that do not violate TSWQS;
14. Street wash water (excluding street sweeper waste water);

15. Discharges or flows from emergency firefighting activities (firefighting activities do not include washing of trucks, run-off water from training activities, test water from fire suppression systems, and similar activities);
16. Other allowable non-stormwater discharges listed in 40 CFR § 122.26 (d)(2)(iv)(B)(1);
17. Non-stormwater discharges specifically listed in the TPDES Multi-Sector General Permit (MSGP) TXR050000 or the TPDES Construction General Permit (CGP) TXR150000;
18. Discharges that are authorized by a TPDES or NPDES permit or that are not required to be permitted; and
19. Other similar occasional incidental non-stormwater discharges such as spray park water, unless the TCEQ develops permits or regulations addressing these discharges.

The City of Tyler does not consider any of these non-stormwater sources to be a significant contributor of pollutants to their MS4 and will therefore adopt the TCEQ's list of allowable non-stormwater discharges with no further modifications.

#### 4.2.3. Stormwater Management Program Requirements

This section of the Small MS4 General Permit again states that the SWMP must be developed and implemented for discharges of stormwater that reach "Waters of the United States." The Small MS4 General Permit also states that the SWMP must be "developed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act and the Texas Water Code" The "maximum extent practicable" ("MEP") standard is common in EPA's stormwater regulations and permits, but it is not defined, so it is a very subjective standard for the operator of the Small MS4 to meet. EPA has stated: "Compliance with the conditions of the general permit and the series of steps associated with identification and implementation of the minimum control measures will satisfy the MEP standard." 64 Fed. Reg. at 68,754. As stated in the Small MS4 General Permit, a permittee that implements best management practices (BMPs) consistent with the provisions of their permit and SWMP constitutes compliance with the standard of reducing pollutants to the MEP.

The TPDES Small MS4 General Permit (TXR040000) identified seven (7) minimum control measures (MCMs), which are as follows:

1. Public Education, Outreach, and Involvement;
2. Illicit Discharge Detection and Elimination (IDDE);
3. Construction Site Stormwater Runoff Control;
4. Post-Construction Stormwater Management in New Development and Redevelopment;
5. Pollution Prevention/Good Housekeeping for Municipal Operations;
6. Industrial Stormwater Sources (only for Level 4 MS4s), and
7. Authorization for Municipal Construction Activities (Optional).

The first six (6) MCMs are required components of the SWMP; however, the seventh (7th) measure is optional and is an alternative to the MS4 operator seeking

separate coverage under the TPDES Construction General Permit (TXR150000). The sixth (6th) MCM is only required for Level 4 MS4 operators.

As part of the general requirements for the SWMP, the permittee must provide documentation, implementation, and evaluation of the SWMP. This information is provided in detail in **Section 5 Tyler’s Program for the Required Minimum Control Measures (MCMs)**.

#### 4.2.4. Record Keeping and Reporting

The Small MS4 General Permit requires the operator of the Small MS4 to retain all records, a copy of the Small MS4 General Permit, and records of all data to complete the NOI and satisfy the public participation requirements, for a period of at least three (3) years or for the remainder of the term of the Small MS4 General Permit, whichever is longer. Because the permit term is five (5) years, the minimum period of time to maintain such information will be five (5) years.

The Small MS4 General Permit also contains provisions regarding how records related to the SWMP are to be made available to the public. The Small MS4 General Permit requires the operator of the Small MS4 to make the records, including the NOI and the SWMP, available to the public if requested to do so in writing. The Small MS4 General Permit states:

*The permittee shall make the NOI and the SWMP available to the public at reasonable times during regular business hours, if requested to do so in writing. Copies of the SWMP must be made available within ten (10) working days of receipt of a written request. Other records must be provided in accordance with the Texas Public Information Act.*

A concise annual report must be submitted by the City of Tyler to the Executive Director of TCEQ within 90 days of the end of each reporting year during the permit term. The annual report must be prepared and submitted regardless of whether the City’s SWMP and NOI have been approved by TCEQ. The permit term began when the TPDES Small MS4 General Permit was reissued (24 January 2019). The reporting years and deadlines for annual reports are specified below.

For existing MS4s, the first annual report needs to include all months since the last reporting period. The Year 1 Annual Report which will be due 6 March 2020, will include activities from 1 January 2019 through 31 December 2019.

<b>Year</b>	<b>Reporting Cycle</b>	<b>Annual Report Due Date</b>
1	01/01/2019 – 12/31/2019	03/31/2020
2	01/01/2020 – 12/31/2020	03/31/2021
3	01/01/2021 – 12/31/2021	03/31/2022
4	01/01/2022 – 12/31/2022	03/31/2023
5	01/01/2023 – 12/31/2023	03/31/2024

A copy of the annual report must be readily available for review by authorized TCEQ personnel upon request. The report must contain a number of elements including:

- Status of compliance with permit conditions, assessment of the appropriateness of the identified BMPs, progress towards achieving the statutory goal of reducing the discharge of pollutants to the MEP, the measurable goals for each of the MCMs, and an evaluation of the success of the implementation of the measurable goals;
- A summary of the results of the information collected and analyzed during the reporting period, including monitoring data used to assess the success of the program at reducing the discharge of pollutants to the MEP;
- If applicable, a summary of any activities taken to address the discharge to impaired waterbodies, including any sampling results and a summary of the small MS4s BMPs used to address the pollutant of concern;
- A summary of activities planned for the next reporting year;
- Proposed changes to the SWMP;
- Description and schedule for implementation of additional BMP's that may be necessary, based on monitoring results, to ensure compliance with applicable TMDLs and implementations plans;
- Notice that the MS4 operator is relying on another government entity to satisfy some of its permit obligations (if applicable);
- Number of municipal construction activities authorized under the 7th (seventh) optional MCM and total number of acres disturbed; and
- The number of construction activities that occurred within the jurisdictional area of the Small MS4 (as noticed to the permittee by the construction operator), and that were not authorized under the 7th (seventh) MCM.

#### 4.2.5. Standard Permit Conditions

1. The permittee has a duty to comply with all permit conditions and failure to so is a violation of the permit.
2. The fact that compliance with the permit conditions may require the permitted activity to be halted or reduced is not a defense for a permittee in an enforcement action.
3. The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.
4. The executive director may revoke or suspend the authorization under this general permit for cause.
5. The permittee shall at all times properly operate and maintain all facilities and system of treatment and control (and related appurtenances) which are installed or used to achieve compliance with the conditions of this permit and with the condition of the permittee's SWMP.
6. The TCEQ shall be allowed inspection and entry to any part of a facility or site as provided in Texas Water Code Chapters 26-28, Health and Safety Code §§ 361.032-361.033 and 361.037, and 40 CFR §122.41(i).
7. The discharger is subject to administrative, civil, and criminal penalties under Texas Water Code Chapters 26, 27, and 28, and the Texas Health and Safety Code, Chapter 361 for certain violations.

8. Signatory and authorized person(s) requirements set forth in 30 TAC § 305.128 must be followed for all reports and other information requested by the executive director.
9. Authorization under this general permit does not convey property or water rights of any sort and does not grant any exclusive privilege.
10. The permittee must implement its SWMP on any new areas under its jurisdiction that are located in a UA within three (3) years of acquiring the new area or five (5) years from the date of the initial permit coverage.

A complete copy of the Small MS4 General Permit is located in **Appendix G**.

## **5. TYLER'S PROGRAM FOR THE REQUIRED MINIMUM CONTROL MEASURES (MCMs)**

### **5.1. MCM #1 – Public Education, Outreach, and Involvement**

An effective public education program can significantly reduce other program costs, such as inspection and enforcement costs for the illicit discharge program. Informed citizens and business owners will usually take steps to reduce potential pollution from their own activities.

As specified in the Small MS4 General Permit, all permittees shall develop, implement, and maintain a comprehensive stormwater education and outreach program to educate public employees, businesses, and the general public of hazards associated with the illegal discharges and improper disposal of waste and about the impact that stormwater discharges can have on local waterways, as well as the steps that the public can take to reduce pollutants in stormwater.

Existing permittees such as Tyler shall assess program elements that were described in the previous permit, modify as necessary, and develop and implement new elements, as necessary, to continue reducing the discharge of pollutants from the MS4 to the MEP. New elements must be fully implemented by the end of this permit term.

At a minimum, the Public Education, Outreach, and Involvement program must:

1. Define goals and objectives based on high priority community wide issues;
2. Identify target audiences;
3. Utilize appropriate educational materials;
4. Determine cost effective and practical methods for distribution of materials; and
5. Materials must be made available at least annually.

All permittees must involve the public in developing and implementing the SWMP. At a minimum, the permittees shall:

1. Consider using public input in implementation of the program;
2. Create opportunities for citizens to participate in implementation of BMPs; and
3. Ensure the public has easy access to information about the SWMP.

The City originally utilized a stakeholder group to select appropriate BMPs based on community-wide issues. City staff assessed the efficacy of the original BMPs based on performance during the first permit term and determined that the original BMPs with some slight modifications were still appropriate.

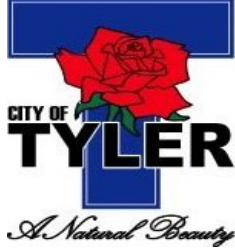
One (1) BMP was updated as it was deemed too costly relative to its effectiveness, and was modified to include messages on the utility bill monthly (PE/PI-1, Utility Bill Inserts became Utility Bill Messages).

To comply with the regulatory requirements for this program element, the following BMPs have been selected by the City of Tyler:

- PE/PI-1 Utility Bill Messages;
- PE/PI-2 Public Service Announcements / Social Media;
- PE/PI-3 Stormwater Literature;
- PE/PI-4 Stormwater Web Site;
- PE/PI-5 School Take Home Folders;
- PE/PI-6 Storm Drain Marking by City Staff;
- PE/PI-7 Stream Cleanup Projects;
- PE/PI-8 Adopt A Street, Park or Spot; and
- PE/PI-9 Facility Tours.

In addition to these eight (8) BMPs, the Stormwater Hotline, which is included in MCM 3 (Construction Site Stormwater Runoff Control) allows the public to be involved in implementation of the program and to provide input and comments regarding all aspects of the City's stormwater program.

The following BMP sheets describe individual BMPs in Tyler's SWMP. The City Department that has the primary responsibility for implementing the BMP is listed in the Responsible Authority section. The primary department is listed in bold type font with an "\*" and any support departments are listed as unbolded font. The Applicability Section describes those sectors of the public that are targeted by the BMP. Tyler's Public Education, Outreach, and Involvement BMPs target all six (6) sectors of the public including residents, visitors, public service employees, businesses, commercial and industrial facilities, and construction site personnel.

	<h2>UTILITY BILL MESSAGES</h2>		<h2>PE/PI-1</h2>
<p style="text-align: center;"><b>RESPONSIBLE AUTHORITY</b></p> <p style="text-align: center;">*Water Utilities</p>	<p><b>DESCRIPTION</b></p> <p>These are messages that mirror information in existing literature and social media posts. Messages are short and to the point, conveying precise information in an attempt to have the target audience read and digest the information.</p> <p>This BMP was modified from an insert to a message due to cost vs. effectiveness. In addition, a higher message saturation can be achieved.</p>		<div style="border: 1px solid black; padding: 5px;"> <p><b>Proper Disposal of Household Chemicals</b></p> <p>Many common household chemicals, such as household cleaners, pesticides, antifreeze, and used motor oil are dangerous to our kids, pets and the environment. These materials may pollute our waterways if washed or dumped into storm drains. They should always be labeled, stored, and disposed of properly.</p> <p>The City of Tyler provides <b>FREE DISPOSAL</b> of many common household chemicals for its residents, as described below:</p> <ul style="list-style-type: none"> <li>◆ Quantities of one gallon or less may be placed at the curb on your normal garbage collection day.</li> <li>◆ Liquid chemicals should be securely sealed to prevent leaks and set out separately from household garbage.</li> <li>◆ Paint must be dried before being placed at the curb. Waxy filler or oil dry can be used to dry paint. One-gallon bags of oil dry can be obtained free of charge from the Tyler Recycling Center.</li> <li>◆ Car batteries may be left on the curb on your normal garbage collection day for pick up and recycling.</li> <li>◆ Used motor oil from non-commercial users in quantities of five gallons or less can be taken to any auto service shop in Tyler.</li> </ul> <p><small>For more information, contact the Solid Waste Department at (903) 931-1388.</small></p> </div> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p style="text-align: center;"><b>ILLICIT DISCHARGE ORDINANCE</b></p> <p>On September 8, 2010, the Tyler City Council adopted an <b>Illicit Discharge and Stormwater Connection Ordinance</b>.</p> <p>The purpose of this ordinance is to provide for the health, safety, and general welfare of the citizens of the City of Tyler by prohibiting the two main causes of non-storm water discharges to the storm drainage system:</p> <ul style="list-style-type: none"> <li>◆ <b>Illegal Discharges</b> which are any direct or indirect non-storm water discharges to the storm drain system, except as exempted by the ordinance, and</li> <li>◆ <b>Illicit Connections</b> which are any drains or conveyances, whether on the surface or subsurface, which allow an illegal discharge to enter the storm drain system.</li> </ul> <p><b>Non-Storm Water Discharges</b> are defined as any discharge to the storm drain system that is not composed entirely of storm water. This may include, but is not limited to:</p> <ul style="list-style-type: none"> <li>◆ Paints, Varnishes, and Solvents</li> <li>◆ Refuse, Rubbish, Garbage, Litter, or Other Discarded or Abandoned Objects</li> <li>◆ Oil and Other Automotive Fluids</li> <li>◆ Non-Hazardous Liquid and Solid Wastes</li> <li>◆ Yard Wastes</li> </ul> </div>
<p style="text-align: center;"><b>APPLICABILITY</b></p> <p>X Residents</p> <p>Visitors</p> <p>X Public Service Employees</p> <p>X Businesses</p> <p>X Commercial/Industrial</p> <p>Construction</p>	<p><b>RATIONALE FOR SELECTION</b></p> <ul style="list-style-type: none"> <li>• Utility bill inserts were utilized by Tyler Water Utilities on a regular basis to convey a variety of short, simple messages.</li> <li>• This BMP was highly rated by the Storm Water Stakeholders Group, and tied for the highest priority BMP for public education.</li> <li>• Staff found the BMP effective during the first permit term. However, with the increase in social media use, and the perceived benefit of more precise and more frequent messaging, this BMP was modified to a monthly utility bill message.</li> </ul>		
<p style="text-align: center;"><b>REPORTING YEAR</b></p>	<p style="text-align: center;"><b>IMPLEMENTATION ACTIVITY</b></p>	<p style="text-align: center;"><b>MEASURABLE GOAL</b></p>	
<p style="text-align: center;">01/01/19 - 12/31/19</p>	<ul style="list-style-type: none"> <li>• Utilize existing utility bills to convey information</li> </ul>	<p style="text-align: center;">5 Messages</p>	
<p style="text-align: center;">01/01/20 - 12/31/20</p>	<ul style="list-style-type: none"> <li>• Utilize existing utility bills to convey information</li> </ul>	<p style="text-align: center;">12 Messages</p>	
<p style="text-align: center;">01/01/21 - 12/31/21</p>	<ul style="list-style-type: none"> <li>• Utilize existing utility bills to convey information</li> </ul>	<p style="text-align: center;">12 Messages</p>	
<p style="text-align: center;">01/01/22 - 12/31/22</p>	<ul style="list-style-type: none"> <li>• Utilize existing utility bills to convey information</li> </ul>	<p style="text-align: center;">12 Messages</p>	
<p style="text-align: center;">01/01/23 - 12/31/23</p>	<ul style="list-style-type: none"> <li>• Utilize existing utility bills to convey information</li> </ul>	<p style="text-align: center;">12 Messages</p>	
<p><b>REFERENCES</b></p> <p>TPDES General Permit TXR040000. <i>Small MS4 General Permit, Part III, Section B.1(a)(2):</i> pg.35.</p>			





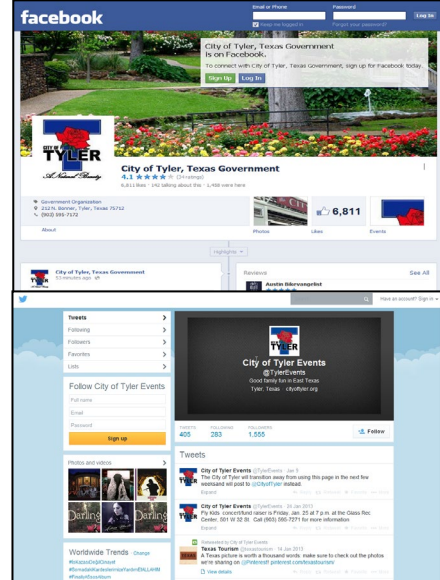
## PUBLIC SERVICE ANNOUNCEMENTS / SOCIAL MEDIA

**PE/PI-2**

**RESPONSIBLE AUTHORITY**  
\*Water Utilities  
Public Relations

### DESCRIPTION

These are announcements broadcast on local media that address stormwater related topics such as recycling, proper pesticide and fertilizer use, and proper household chemicals disposal. The City of Tyler will continue to utilize spots on the City's cable access Channel 3.



### APPLICABILITY

- X Residents
- X Visitors
- X Public Service Employees
- X Businesses
- X Commercial/Industrial
- X Construction

The City is also using social media to educate the public through Facebook and Twitter, and the more focused Nextdoor. Social media reaches a larger and younger audience than PSAs. Social media can be viewed on computers and smart phones so it is more accessible to the public.




### RATIONALE FOR SELECTION

- This BMP is important since it has greatest potential to reach all groups that the TPDES general permit requires to be informed, including visitors to the City of Tyler.
- PSAs were highly recommended by the Storm Water Stakeholders Group, and was tied for the highest priority BMP for public education.
- This BMP was effective during previous permit terms, and has allowed near real time interaction with the public.

YEAR	IMPLEMENTATION ACTIVITY	MEASURABLE GOAL
01/01/19 – 12/31/19	<ul style="list-style-type: none"> <li>• Continue existing PSAs on local cable access channel</li> <li>• Maintain Facebook and Twitter feeds</li> </ul>	1 PSA broadcast / month 2 social media post / month
01/01/20 – 012/31/20	<ul style="list-style-type: none"> <li>• Continue existing PSAs on local cable access channel</li> <li>• Maintain Facebook and Twitter feeds</li> </ul>	1 PSA broadcast / month 2 social media post / month
01/01/21 – 12/31/21	<ul style="list-style-type: none"> <li>• Continue existing PSAs on local cable access channel</li> <li>• Maintain Facebook and Twitter feeds</li> </ul>	1 PSA broadcast / month 2 social media post / month
01/01/22 – 12/31/22	<ul style="list-style-type: none"> <li>• Continue existing PSAs on local cable access channel</li> <li>• Maintain Facebook and Twitter feeds</li> </ul>	1 PSA broadcast / month 2 social media post / month
01/01/23 – 12/31/23	<ul style="list-style-type: none"> <li>• Continue existing PSAs on local cable access channel</li> <li>• Maintain Facebook and Twitter feeds</li> </ul>	1 PSA broadcast / month 2 social media post / month

**REFERENCES**

TPDES General Permit TXR040000. *Small MS4 General Permit, Part III, Section B.1(a)(1)(c):* pg.35

	<b>STORMWATER LITERATURE</b>		<b>PE/PI-3</b>
<b>RESPONSIBLE AUTHORITY</b>  *Water Utilities Solid Waste	<p><b>DESCRIPTION</b></p> <p>These are multi-page printed materials used to convey detailed information on specific topics related to stormwater management. The City has developed literature, including brochures, flyers, and bookmarks, and will continue to distribute existing literature and develop new literature as needed.</p> <p>Existing literature includes:</p> <ul style="list-style-type: none"> <li>• After the Storm;</li> <li>• Proper Disposal of Fat, Oils and Grease;</li> <li>• Illicit Discharge Ordinance;</li> <li>• Proper Disposal of Household Chemicals;</li> <li>• A Homeowner's Guide to Septic Systems;</li> <li>• Don't Feed the Storm Drain;</li> <li>• Understanding Stormwater / Pet Waste;</li> <li>• Taking Care of Your Household Hazardous Waste; and</li> <li>• How Does My Yard Affect Water Quality?</li> </ul> <p>Brochures are maintained at the Water Utilities Offices, Water Billing Office, Neighborhood Services, and Solid Waste/Vehicle Services.</p> <div style="display: flex; justify-content: space-around; align-items: center;">   </div>		
<b>APPLICABILITY</b>	<p><b>RATIONALE FOR SELECTION</b></p> <p>Tyler's Water Utilities and Solid Waste departments has developed literature on several stormwater related topics. This BMP has been effective during previous permit terms, and reaches primarily residents/customers and employees.</p>		
<b>YEAR</b>	<b>IMPLEMENTATION ACTIVITY</b>	<b>MEASURABLE GOAL</b>	
01/01/19 – 12/31/19	<ul style="list-style-type: none"> <li>• Distribute existing literature as needed</li> <li>• Track number of literature items</li> </ul>	Report number of literature items printed per year	
01/01/20 – 12/31/20	<ul style="list-style-type: none"> <li>• Distribute existing literature as needed</li> <li>• Track number of literature items</li> </ul>	Report number of literature items printed per year	
01/01/21 – 12/31/21	<ul style="list-style-type: none"> <li>• Distribute existing literature as needed</li> <li>• Track number of literature items</li> </ul>	Report number of literature items printed per year	
01/01/22 – 12/31/22	<ul style="list-style-type: none"> <li>• Distribute existing literature as needed</li> <li>• Track number of literature items</li> </ul>	Report number of literature items printed per year	
01/01/23 – 12/31/23	<ul style="list-style-type: none"> <li>• Distribute existing literature as needed</li> <li>• Track number of literature items</li> </ul>	Report number of literature items printed per year	
<p><b>REFERENCES</b></p> <p>TPDES General Permit TXR040000. <i>Small MS4 General Permit, Part III, Section B.1(a)(1)(c):</i> pg.35.</p>			

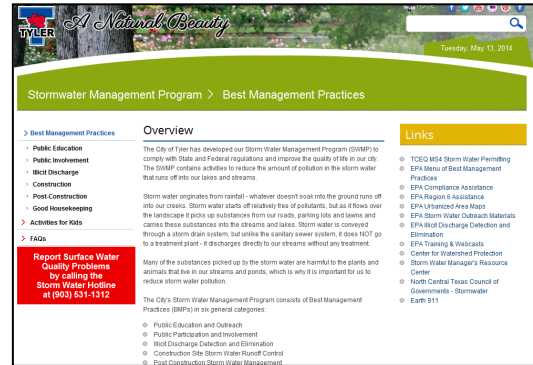


# STORMWATER WEBSITE

PE/PI-4

## DESCRIPTION

The City will maintain their existing storm water web site that specifically addresses stormwater related issues. This page provides a great deal of information including links to various state and federal related sites. The web page provides a link to Activities for Kids that specifically appeals to school aged children. The web page describes the City's Storm Water Management Program, Frequently Asked Questions, advertises the City's Storm Water Hotline and provides links to SWMP and annual reports.



## RESPONSIBLE AUTHORITY

\*Water Utilities  
City Webmaster

## APPLICABILITY

- X Residents
- X Visitors
- X Public Service Employees
- X Businesses
- X Commercial/Industrial
- X Construction


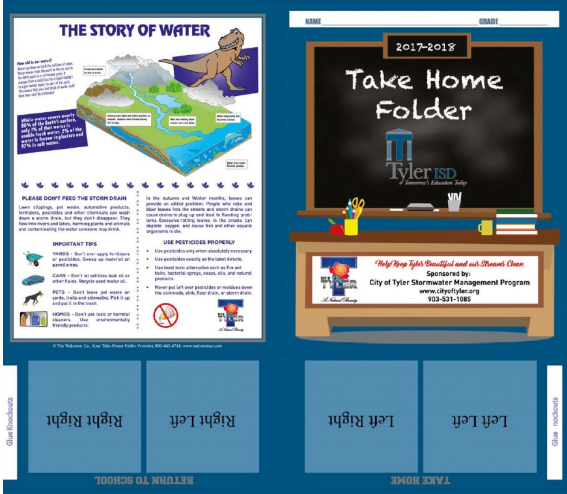
## RATIONALE FOR SELECTION

- A web site is an excellent tool for relaying an unlimited amount of information, including pages for frequently asked questions, household hazardous waste, septic system maintenance, and current public involvement activity schedules.
- The Storm Water Stakeholders Group selected this BMP as the fourth highest priority BMP for Public Education.
- This BMP was effective during the previous permit terms.
- This BMP allows the public easy access to the SWMP as required by the permit.
- <https://www.cityoftyler.org/Departments/StormwaterManagementProgram.aspx>

YEAR	IMPLEMENTATION ACTIVITY	MEASURABLE GOAL
01/01/19 – 12/31/19	<ul style="list-style-type: none"> <li>• Update web page to reflect new TCEQ permit requirements and revised SWMP</li> <li>• Maintain web site links</li> </ul>	1 Screen shot of updated web page with link
01/01/20 – 12/31/20	<ul style="list-style-type: none"> <li>• Revise content as necessary and maintain links</li> <li>• Provide link to annual report</li> </ul>	1 Screen shot of updated web page with link
01/01/21 – 12/31/21	<ul style="list-style-type: none"> <li>• Revise content as necessary and maintain links</li> <li>• Provide link to annual report</li> </ul>	1 Screen shot of updated web page with link
01/01/22 – 12/31/22	<ul style="list-style-type: none"> <li>• Revise content as necessary and maintain links</li> <li>• Provide link to annual report</li> </ul>	1 Screen shot of updated web page with link
01/01/23 – 12/31/23	<ul style="list-style-type: none"> <li>• Revise content as necessary and maintain links</li> <li>• Provide link to annual report</li> </ul>	1 Screen shot of updated web page with link



## REFERENCES

TPDES General Permit TXR040000. *Small MS4 General Permit, Part III, Section B.1(a)(1)(c)*: pg.35

	<b>SCHOOL TAKE HOME FOLDERS</b>		<b>PE/PI-5</b>
<b>RESPONSIBLE AUTHORITY</b>  <b>*Water Utilities</b> Tyler ISD	<p><b>DESCRIPTION</b></p> <p>These are folders that the children take home with them and are an excellent tool for communication between teachers and parents. One side is stamped with “Take Home” and the other side is stamped with “Return to School.” The information is presented in an eye-catching manner that will appeal to children. The messages on these folders can be tailored to specific educational levels and subjects.</p> 		
<b>APPLICABILITY</b>	<p><b>RATIONALE FOR SELECTION</b></p> <ul style="list-style-type: none"> <li>• Take home folders will be provided by Tyler Water Utilities at the start of each school year to inform school children on a number of issues.</li> <li>• These take home folders can be easily modified to include graphic designs and messages related to storm water, and are an economical way of reaching many people since both children and parents will see the folders.</li> <li>• This folder BMP was effective during the first permit term; this was more effective during the second permit term.</li> </ul>		
<b>YEAR</b>	<b>IMPLEMENTATION ACTIVITY</b>	<b>MEASURABLE GOAL</b>	
01/01/19 – 12/31/19	<ul style="list-style-type: none"> <li>• Print and distribute take home folders</li> </ul>	1 folder per student	
01/01/20 – 12/31/20	<ul style="list-style-type: none"> <li>• Print and distribute take home folders</li> </ul>	1 folder per student	
01/01/21 – 12/31/21	<ul style="list-style-type: none"> <li>• Print and distribute take home folders</li> </ul>	1 folder per student	
01/01/22 – 12/31/22	<ul style="list-style-type: none"> <li>• Print and distribute take home folders</li> </ul>	1 folder per student	
01/01/23 – 12/31/23	<ul style="list-style-type: none"> <li>• Print and distribute take home folders</li> </ul>	1 folder per student	
<p><b>REFERENCES</b>          TPDES General Permit TXR040000. <i>Small MS4 General Permit, Part III, Section B.1(a)(1):</i> pg.35</p>			

	<b>STORM DRAIN MARKING BY CITY STAFF</b>	<b>PE/PI-6</b>
<b>RESPONSIBLE AUTHORITY</b>  <b>*Engineering</b>	<p><b>DESCRIPTION</b></p> <p>This BMP consists of City staff affixing plastic buttons with a “don’t dump” message to curb inlets along city streets. City construction inspectors mark storm drains associated with new development projects. Existing storm drain inlets in highly visible areas are also marked by City staff. Ultimately our goal is to mark all storm drains. These drain markers serve to educate the public that storm drains convey storm water directly to streams and rivers. A common misconception is that the curb inlets drain to a treatment plant. These markers educate the public and prevent illegal dumping of oils, paints, leaves and other debris in the storm drains.</p> <p>The City will continue to attempt to get the public involved in storm drain marking.</p> <div style="display: flex; justify-content: space-between; align-items: center;">   </div>	
<p><b>APPLICABILITY</b></p> <p>X Residents</p> <p>X Visitors</p> <p>X Public Service Employees</p> <p>X Businesses</p> <p>X Commercial/Industrial</p> <p>X Construction</p>	<p><b>RATIONALE FOR SELECTION</b></p> <ul style="list-style-type: none"> <li>Storm drain buttons have been used by many municipalities and is generally a very effective BMP that is relatively inexpensive and easy to implement.</li> <li>The Storm Water Stakeholders Group selected this as the highest priority BMP for Public Involvement and Participation.</li> </ul>	
<b>YEAR</b>	<b>IMPLEMENTATION ACTIVITY</b>	<b>MEASURABLE GOAL</b>
01/01/19 – 12/31/19	<ul style="list-style-type: none"> <li>Mark curb inlets. Track and update/maintain GIS map.</li> </ul>	Mark at least 120 inlets / year; Maintain GIS map
01/01/20 – 12/31/20	<ul style="list-style-type: none"> <li>Mark curb inlets. Track and update/maintain GIS map.</li> </ul>	Mark at least 120 inlets / year; Maintain GIS map
01/01/21 – 12/31/21	<ul style="list-style-type: none"> <li>Mark curb inlets. Track and update/maintain GIS map.</li> </ul>	Mark at least 120 inlets / year; Maintain GIS map
01/01/22 – 12/31/22	<ul style="list-style-type: none"> <li>Mark curb inlets. Track and update/maintain GIS map.</li> </ul>	Mark at least 120 inlets / year; Maintain GIS map
01/01/23 – 12/31/23	<ul style="list-style-type: none"> <li>Mark curb inlets. Track and update/maintain GIS map.</li> </ul>	Mark at least 120 inlets / year; Maintain GIS map
<p><b>REFERENCES</b></p> <p>TPDES General Permit TXR040000. <i>Small MS4 General Permit, Part III, Section B.1(a)(1): pg.35</i></p>		



		<b>STREAM CLEANUP PROJECTS</b>		<b>PE/PI-7</b>
		<p><b>DESCRIPTION</b>  The City of Tyler coordinates stream cleanup projects with various local volunteer groups and organizations. Cleanups will continue to occur at Rose Rudman Park at least once per year.</p>		
<p><b>RESPONSIBLE AUTHORITY</b></p> <p>*Engineering  Solid wastes</p>		<p><b>RATIONALE FOR SELECTION</b></p> <ul style="list-style-type: none"> <li>Stream cleanup projects are a great way to improve aquatic habitat, water quality, and aesthetics while promoting storm water awareness.</li> <li>This BMP is generally inexpensive and the City of Tyler can coordinate the participation of volunteer groups and organizations through the “Keep Tyler Beautiful” committee.</li> <li>The Storm Water Stakeholders Group selected Stream Cleanup Projects as the second highest priority BMP for getting the public involved.</li> <li>Can be coordinated with Great American Cleanup and Don’t Mess with Texas Trash Off</li> <li>This BMP was effective during the last permit term.</li> </ul>		
<p><b>APPLICABILITY</b></p> <p>X Residents</p> <p>Visitors</p> <p>X Public Service Employees</p> <p>X Businesses</p> <p>Commercial/  Industrial</p> <p>Construction</p>				
YEAR	IMPLEMENTATION ACTIVITY		MEASURABLE GOAL	
01/01/19 – 12/31/19	<ul style="list-style-type: none"> <li>Advertise program to organizations</li> <li>Schedule and hold one cleanup event at Rose Rudman Park</li> </ul>		One stream cleanup event Report other cleanup events	
01/01/20 – 12/31/20	<ul style="list-style-type: none"> <li>Advertise program to organizations</li> <li>Schedule and hold one cleanup event at Rose Rudman Park</li> </ul>		One stream cleanup event Report other cleanup events	
01/01/21 – 12/31/21	<ul style="list-style-type: none"> <li>Advertise program to organizations</li> <li>Schedule and hold one cleanup event at Rose Rudman Park</li> </ul>		One stream cleanup event Report other cleanup events	
01/01/22 – 12/31/22	<ul style="list-style-type: none"> <li>Advertise program to organizations</li> <li>Schedule and hold one cleanup event at Rose Rudman Park</li> </ul>		One stream cleanup event Report other cleanup events	
01/01/23 – 12/31/23	<ul style="list-style-type: none"> <li>Advertise program to organizations</li> <li>Schedule and hold one cleanup event at Rose Rudman Park</li> </ul>		One stream cleanup event Report other cleanup events	
<p><b>REFERENCES</b>  TPDES General Permit TXR040000. <i>Small MS4 General Permit, Part III, Section B.1(b)(2): pg.36</i></p>				



## ADOPT A STREET, PARK OR SPOT

PE/PI-8

### DESCRIPTION

The City of Tyler in cooperation with Keep Tyler Beautiful has an Adopt-A-Street, Park or Spot program. This BMP allows families, groups or organizations to adopt an area for litter cleanup. Keep Tyler Beautiful works with the groups to determine the specific section of the City to be adopted. Keep Tyler Beautiful erects a sign at the adopted area with the group's name or acronym. Keep Tyler Beautiful provides safety vests, trash bags, portable traffic control signs, a first aid kit and safety literature. Tyler Solid Waste removes the filled trash bags.



### RESPONSIBLE AUTHORITY

\*Solid Waste

### APPLICABILITY

- X Residents
- X Visitors
- X Public Service Employees
- X Businesses
- X Commercial/Industrial
- Construction

### RATIONALE FOR SELECTION

- The City in cooperation with Keep Tyler Beautiful administers this program.
- The program has been very successful in involving the public in control of trash and other floatables.

YEAR	IMPLEMENTATION ACTIVITY	MEASURABLE GOAL
01/01/19 – 12/31/19	<ul style="list-style-type: none"> <li>• Continue Adopt-A-Street, Park or Spot Program</li> </ul>	Report the number of adoptions per year
01/01/20 – 12/31/20	<ul style="list-style-type: none"> <li>• Continue Adopt-A-Street, Park or Spot Program</li> </ul>	Report the number of adoptions per year
01/01/21 – 12/31/21	<ul style="list-style-type: none"> <li>• Continue Adopt-A-Street, Park or Spot Program</li> </ul>	Report the number of adoptions per year
01/01/22 – 12/31/22	<ul style="list-style-type: none"> <li>• Continue Adopt-A-Street, Park or Spot Program</li> </ul>	Report the number of adoptions per year
01/01/23 – 12/31/23	<ul style="list-style-type: none"> <li>• Continue Adopt-A-Street, Park or Spot Program</li> </ul>	Report the number of adoptions per year

### REFERENCES

TPDES General Permit TXR040000. *Small MS4 General Permit, Part III, Section B.1(b)(2):* pg.36



## FACILITY TOURS

**PE/PI-9**

### DESCRIPTION

The City of Tyler provides facility tours of the Palestine Water Treatment Plant and the Recycling Center. Tours are given to groups of individuals from local schools and other organizations and clubs. During the tours, the groups are educated on the importance of water conservation, drinking water quality, and recycling. The tours include aspects of the treatment process and where the water originates. The tours will also stress the impacts of pollutants in stormwater and how it affects the amount of treatment required.



### RESPONSIBLE AUTHORITY

**\*Water Utilities  
Solid Waste**

### APPLICABILITY

- X Residents
- X Visitors
- Public Service Employees
- X Businesses
- Commercial/Industrial
- Construction

### RATIONALE FOR SELECTION

- The City currently conducts 6 to 12 facility tours per year at the Palestine Water Treatment Plant.
- The tours currently focus on the treatment process but could easily be modified to include how pollutants in stormwater affect water quality in Lake Palestine and how this affects the treatment process.
- Hands-on tours and field trips provide excellent educational opportunities for both adults and children.

YEAR	IMPLEMENTATION ACTIVITY	MEASURABLE GOAL
01/01/19 – 12/31/19	<ul style="list-style-type: none"> <li>• Conduct facility tours of Lake Palestine Water Treatment Plant</li> <li>• Conduct facility tours of Tyler Recycling Center</li> </ul>	Conduct at least 5 facility tours / year
01/01/20 – 12/31/20	<ul style="list-style-type: none"> <li>• Conduct facility tours of Lake Palestine Water Treatment Plant</li> <li>• Conduct facility tours of Tyler Recycling Center</li> </ul>	Conduct at least 5 facility tours / year
01/01/21 – 12/31/21	<ul style="list-style-type: none"> <li>• Conduct facility tours of Lake Palestine Water Treatment Plant</li> <li>• Conduct facility tours of Tyler Recycling Center</li> </ul>	Conduct at least 5 facility tours / year
01/01/22 – 12/31/22	<ul style="list-style-type: none"> <li>• Conduct facility tours of Lake Palestine Water Treatment Plant</li> <li>• Conduct facility tours of Tyler Recycling Center</li> </ul>	Conduct at least 5 facility tours / year
01/01/23 – 12/31/23	<ul style="list-style-type: none"> <li>• Conduct facility tours of Lake Palestine Water Treatment Plant</li> <li>• Conduct facility tours of Tyler Recycling Center</li> </ul>	Conduct at least 5 facility tours / year

### REFERENCES

TPDES General Permit TXR040000. *Small MS4 General Permit, Part III, Section B.1(b)(2): pg.36*



## 5.2. MCM #2 – Illicit Discharge Detection and Elimination (IDDE)

This program element is designed to ensure the elimination of illegal plumbing connections and discharges to the City of Tyler’s stormwater system.

As specified in the Small MS4 General Permit, all permittees shall develop, implement and enforce a program to detect, investigate, and eliminate illicit discharges into the small MS4. The program must include a plan to detect and address non-stormwater discharges, including illegal dumping to the MS4 system.

The IDDE program must include the following elements:

1. An up-to-date MS4 map;
2. Methods for informing and training MS4 field staff;
3. Procedures for tracing the source of an illicit discharge;
4. Procedures for removing the source of the illicit discharge;
5. For Level 2, 3 and 4 small MS4s, procedures to prevent and correct any leaking on-site sewage disposal systems that discharge into the small MS4.

Existing permittees must assess program elements that were described in the previous permit, modify as necessary, and develop and implement new elements, as necessary, to continue reducing the discharge of pollutants from the MS4 to the MEP. New elements must be fully implemented by the end of this permit term.

City staff assessed the efficacy of the original BMPs based on performance during the first permit term and determined that the original BMPs with some slight modifications were still appropriate. The former ID-3 Illicit Discharge Investigations and ID-4 Illicit Discharge Ordinance became ID-3 Enforce Illicit Discharge Ordinance, the remaining were resorted, and a new ID-10 Enforce FOG Ordinance was added.

To comply with the regulatory requirements for this program element, the following BMPs have been selected by the City of Tyler:

- ID-1 Storm Drain System Outfall Mapping;
- ID-2 Dry Weather Screening;
- ID-3 Enforce Illicit Discharge Ordinance;
- ID-4 Illicit Discharge Training;
- ID-5 Reduce Sanitary Sewer Overflows;
- ID-6 Reduce Failing Septic Systems;
- ID-7 Reduce Illegal Dumping;
- ID-8 Solid Waste Collection Events & Recycling;
- ID-9 Pet Waste Management; and
- ID-10 Enforce FOG Ordinance.

The following BMP sheets describe individual BMPs in Tyler’s SWMP. The City Department that has the primary responsibility for implementing the BMP is listed in the Responsible Authority section. The primary department is listed in bold type font with an “\*” and any support departments are listed as unbolded font.

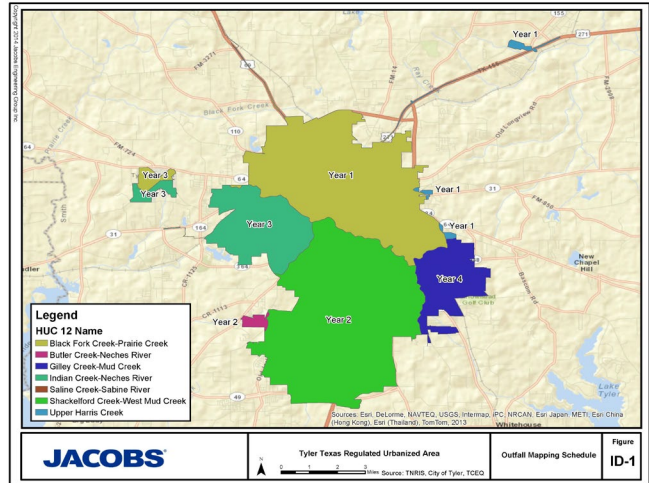


# STORM DRAIN SYSTEM OUTFALL MAPPING

ID-1

## DESCRIPTION

The City of Tyler now has a city-wide GIS system. The precise locations of the outfalls will be recorded through the use of a Global Positioning System (GPS) during the dry weather screening (ID-2).



## RESPONSIBLE AUTHORITY

\*GIS  
Water Utilities  
Engineering

## APPLICABILITY

- X Residents
- Visitors
- X Public Service Employees
- X Businesses
- X Commercial/Industrial
- X Construction


## RATIONALE FOR SELECTION

- A storm drain system map is a required component of this minimum control measure and must identify the locations of all outfalls from the MS4 and the names and locations of the surface waters to which they drain.

YEAR	IMPLEMENTATION ACTIVITY	MEASURABLE GOAL
01/01/19 – 12/31/19	<ul style="list-style-type: none"> <li>• Incorporate recently gathered Indian and Gilley Creek data</li> <li>• Maintain map</li> </ul>	Maintain existing map, report number of edits annually
01/01/20 – 12/31/20	<ul style="list-style-type: none"> <li>• Incorporate new data</li> <li>• Maintain map</li> </ul>	Maintain existing map, report number of edits annually
01/01/21 – 12/31/21	<ul style="list-style-type: none"> <li>• Incorporate new data</li> <li>• Maintain map</li> </ul>	Maintain existing map, report number of edits annually
01/01/22 – 12/31/22	<ul style="list-style-type: none"> <li>• Incorporate new data</li> <li>• Maintain map</li> </ul>	Maintain existing map, report number of edits annually
01/01/23 – 12/31/23	<ul style="list-style-type: none"> <li>• Incorporate new data</li> <li>• Maintain map</li> </ul>	Maintain existing map, report number of edits annually

## REFERENCES

TPDES General Permit TXR040000. *Small MS4 General Permit, Part III, Section B.2(a)(1)(a) & Section B.2(c)(1)(a,b)*: pg.36-37

	<b>DRY WEATHER SCREENING</b>	<b>ID-2</b>
<b>RESPONSIBLE AUTHORITY</b>  <b>*Engineering</b> Code Enforcement Development Services	<b>DESCRIPTION</b>  The City of Tyler staff will visually inspect each regulated outfall during dry weather periods to confirm the absence of flow. If flow is observed during dry weather, limited chemical analysis with field test kits will be performed to determine the presence of certain chemicals or pollutants. If the chemical analysis indicates a concentration of pollutant that is above the allowable threshold limits, further investigation will be required. The City's existing GPS equipment will be used to document the location of the field tests, allowing them to be related to locations on the GIS storm drain system outfall map for future reference and to document precise locations if environmental concerns are identified.	
<b>APPLICABILITY</b>  Residents  Visitors  Public Service Employees  X Businesses  X Commercial/Industrial  X Construction	<b>RATIONALE FOR SELECTION</b>  <ul style="list-style-type: none"> <li>• Dry weather screening was recommended by the Storm Water Stakeholders Group to provide the initial level of detection for illegal connections to the MS4 from industrial or business wastewater sources.</li> <li>• This type of screening can be readily implemented by City staff and can enhance public involvement by potentially performing screening in areas identified through the storm water hotline or web site page.</li> <li>• This BMP was effective during pervious permit terms.</li> </ul>	
<b>YEAR</b>	<b>IMPLEMENTATION ACTIVITY</b>	<b>MEASURABLE GOAL</b>
01/01/19 – 12/31/19	<ul style="list-style-type: none"> <li>• Walk accessible reaches of stream, performing testing, documenting testing locations, and verifying GIS outfall map.</li> </ul>	Screen at least 8 outfalls per month
01/01/20 – 12/31/20	<ul style="list-style-type: none"> <li>• Walk accessible reaches of stream, performing testing, documenting testing locations, and verifying GIS outfall map.</li> </ul>	Screen at least 16 outfalls per month
01/01/21 – 12/31/21	<ul style="list-style-type: none"> <li>• Walk accessible reaches of stream, performing testing, documenting testing locations, and verifying GIS outfall map.</li> </ul>	Screen at least 16 outfalls per month
01/01/22 – 12/31/22	<ul style="list-style-type: none"> <li>• Walk accessible reaches of stream, performing testing, documenting testing locations, and verifying GIS outfall map.</li> </ul>	Screen at least 16 outfalls per month
01/01/23 – 12/31/23	<ul style="list-style-type: none"> <li>• Walk accessible reaches of stream, performing testing, documenting testing locations, and verifying GIS outfall map.</li> </ul>	Screen at least 16 outfalls per month
<b>REFERENCES</b> TPDES General Permit TXR040000. <i>Small MS4 General Permit, Part III, Section B.2(a)(1): pg.36</i>		





# ENFORCE ILLICIT DISCHARGE ORDINANCE

ID-3

## DESCRIPTION

The City has an illicit discharge ordinance that is intended to prohibit illicit discharges and illegal connections to the MS4, as well as sanctions to ensure compliance, to the extent allowable under State and local law. The City will continue to enforce its ordinance Article XI. Illicit Discharge and Stormwater Connection Ordinance.

CITY OF TYLER, TEXAS, CODE OF ORDINANCES

### ARTICLE XI. Illicit Discharge and Stormwater Connection Ordinance

**Sec. 19-310. Purpose/Intent.**

*The purpose of this ordinance is to provide for the health, safety, and general welfare of the citizens of the City of Tyler through the regulation of non-storm water discharges to the storm drainage system to the maximum extent practicable as required by federal and state law. This ordinance establishes methods for controlling the introduction of pollutants into the municipal separate storm sewer system (MS4) in order to comply with requirements of the Texas Pollutant Discharge Elimination System (TPDES) permit process. The objectives of this ordinance are:*

1. *To regulate the contribution of pollutants to the municipal separate storm sewer system (MS4) by stormwater discharges by any user.*
2. *To prohibit Illicit Connections and Discharges to the municipal separate storm sewer system.*
3. *To establish legal authority to carry out all inspection, surveillance and monitoring procedures necessary to ensure compliance with this ordinance.*

**Sec. 19-311. Definitions.**

*Best Management Practices (BMPs): schedules of activities, prohibitions of practices, general good house keeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.*

*Clean Water Act. The federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.*

*Construction. Any activity on the property following a building permit. These activities may be subject to requirements of TPDES General Permit No. TXR150000. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.*

*Hazardous Materials. Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious*

-1

## RESPONSIBLE AUTHORITY

**\*Water Utilities**  
Code Enforcement  
City Attorney

## APPLICABILITY

- X Residents
- X Visitors
- X Public Service Employees
- X Businesses
- X Commercial/Industrial
- X Construction

Public notifications can be reported through our Stormwater hotline on the City website.

## RATIONALE FOR SELECTION

- The Small MS4 General Permit required the establishment of a regulatory mechanism to specifically prohibit illicit discharges and illegal connections to the MS4.
- The ordinance was adopted (Ord. No. 0-2010-93), on 9/8/2010.
- The City will continue to enforce the existing ordinance and will review during Year 2 to determine if any changes are needed.

### YEAR

### IMPLEMENTATION ACTIVITY

### MEASURABLE GOAL

01/01/19 – 12/31/19

- Continue to enforce existing ordinance

List of investigations and enforcement orders

01/01/20 – 12/31/20

- Review existing ordinance to identify any needed changes
- Continue to enforce existing ordinance

List of investigations and enforcement orders

01/01/21 – 12/31/21

- Continue to enforce existing ordinance

List of investigations and enforcement orders

01/01/22 – 12/31/22

- Continue to enforce existing ordinance

List of investigations and enforcement orders



01/01/23 – 12/31/23

- Continue to enforce existing ordinance

List of investigations and enforcement orders

## REFERENCES

TPDES General Permit TXR040000. *Small MS4 General Permit, Part III, Section B.2(a): pg.36*

		<b>ILLICIT DISCHARGE TRAINING</b>	<b>ID-4</b>
		<p><b>DESCRIPTION</b></p> <p>The Small MS4 General permit requires that all permittees implement a method for informing or training all the permittee's field staff that may come into contact with or otherwise observe an illicit discharge or illicit connection to the small MS4 as part of their normal job responsibilities. Training program materials and attendance lists must be maintained on site and made available for review by the TCEQ.</p> <p>The City of Tyler currently conducts pollution prevention training as one of the Good Housekeeping BMPs. The City also trains field staff on what is considered an illicit discharge, how to recognize an illicit discharge, and who to notify to follow up on illicit discharges.</p> <p>During Year 2, the City will review the training program. Sign-in sheets of training attendees will be maintained on-site and made available for review by TCEQ.</p> 	
<p><b>RESPONSIBLE AUTHORITY</b></p> <p><b>*Water Utilities</b></p>			
<p><b>APPLICABILITY</b></p> <p>Residents</p> <p>Visitors</p> <p>X Public Service Employees</p> <p>Businesses</p> <p>Commercial/Industrial</p> <p>Construction</p>		<p><b>RATIONALE FOR SELECTION</b></p> <ul style="list-style-type: none"> <li>• The Small MS4 General Permit requires that all permittees implement this training program.</li> <li>• Field staff who are out in the community on a daily basis are the staff that will be most likely to observe illicit discharges as they are occurring and will be instrumental in implementing the IDDE program.</li> </ul>	
<b>YEAR</b>	<b>IMPLEMENTATION ACTIVITY</b>	<b>MEASURABLE GOAL</b>	
01/01/19 – 12/31/19	<ul style="list-style-type: none"> <li>• Conduct Illicit Discharge training</li> </ul>	1 training/year	
01/01/20 – 12/31/20	<ul style="list-style-type: none"> <li>• Conduct Illicit Discharge training</li> <li>• Review training and update as necessary</li> </ul>	1 training/year	
01/01/21 – 12/31/21	<ul style="list-style-type: none"> <li>• Conduct Illicit Discharge training</li> </ul>	1 training/year	
01/01/22 – 12/31/22	<ul style="list-style-type: none"> <li>• Conduct Illicit Discharge training</li> </ul>	1 training/year	
01/01/23 – 12/31/23	<ul style="list-style-type: none"> <li>• Conduct Illicit Discharge training</li> </ul>	1 training/year	
<p><b>REFERENCES</b></p> <p>TPDES General Permit TXR040000. <i>Small MS4 General Permit, Part III, Section B.2(a)(1)(b): pg.36</i></p>			





## REDUCE SANITARY SEWER OVERFLOWS

ID-5

### DESCRIPTION

The City will continue to work towards eliminating sanitary sewer overflows. These overflows can be caused by a number of factors including temporary blockages, flooding, and insufficient sewer capacity. Extensive investigations have been conducted by the City to determine the causes of the SSOs and great progress has been made in reducing these overflows.



### RESPONSIBLE AUTHORITY

\*Water Utilities

### APPLICABILITY

- X Residents
- Visitors
- X Public Service Employees
- X Businesses
- X Commercial/Industrial
- Construction


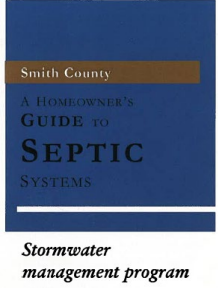


### RATIONALE FOR SELECTION

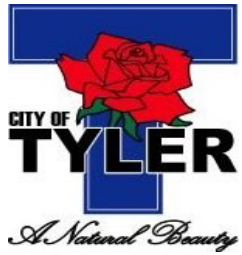

- The detection and correction of sanitary sewer overflows is a mandatory requirement for all Phase II cities.
- The City of Tyler has already been addressing this issue for dry weather sanitary sewer overflows. The City has utilized various inflow detection techniques and has been successful in locating and correcting many problems.
- The City will continue this program.
- The current program is currently part of a larger Capacity, Management, Operations, Maintenance (CMOM) Program.

YEAR	IMPLEMENTATION ACTIVITY	MEASURABLE GOAL
01/01/19 – 12/31/19	<ul style="list-style-type: none"> <li>• Cleaning of existing sanitary sewer system</li> <li>• TV inspection of sanitary sewer mains</li> <li>• Preventative maintenance of lift stations</li> </ul>	Clean 400,000 ft / year TV 40,000 ft / year, visual inspection logs
01/01/20 – 12/31/20	<ul style="list-style-type: none"> <li>• Cleaning of existing sanitary sewer system</li> <li>• TV inspection of sanitary sewer mains</li> <li>• Preventative maintenance of lift stations</li> </ul>	Clean 400,000 ft / year TV 40,000 ft / year, visual inspection logs
01/01/21 – 12/31/21	<ul style="list-style-type: none"> <li>• Cleaning of existing sanitary sewer system</li> <li>• TV inspection of sanitary sewer mains</li> <li>• Preventative maintenance of lift stations</li> </ul>	Clean 400,000 ft / year TV 40,000 ft / year, visual inspection logs
01/01/22 – 12/31/22	<ul style="list-style-type: none"> <li>• Cleaning of existing sanitary sewer system</li> <li>• TV inspection of sanitary sewer mains</li> <li>• Preventative maintenance of lift stations</li> </ul>	Clean 400,000 ft / year TV 40,000 ft / year, visual inspection logs
01/01/23 – 12/31/23	<ul style="list-style-type: none"> <li>• Cleaning of existing sanitary sewer system</li> <li>• TV inspection of sanitary sewer mains</li> <li>• Preventative maintenance of lift stations</li> </ul>	Clean 400,000 ft / year TV 40,000 ft / year, visual inspection logs

### REFERENCES

TPDES General Permit TXR040000. *Small MS4 General Permit, Part III, Section B.2(a)(1)(e) & Section B.2(c)(5)(i): pg.37,38*

		<h2>REDUCE FAILING SEPTIC SYSTEMS</h2>	<h2>ID-6</h2>
<p><b>RESPONSIBLE AUTHORITY</b></p> <p><b>*Water Utilities</b></p>		<p><b>DESCRIPTION</b></p> <p>This BMP consists of public education through the use of brochures to promote the proper operation and maintenance of septic tanks. The City and Smith County jointly produce a septic system maintenance brochure and distribute the brochures to septic haulers to disseminate to homeowners. The Interlocal Agreement between the City of Tyler and Smith County is located in Appendix A.</p> <div style="text-align: right;">    </div>	
<p><b>APPLICABILITY</b></p> <p>X Residents</p> <p>Visitors</p> <p>Public Service Employees</p> <p>Businesses</p> <p>Commercial/Industrial</p> <p>Construction</p>			
		<p><b>RATIONALE FOR SELECTION</b></p> <ul style="list-style-type: none"> <li>The Smith County Public Health District currently regulates septic systems, both inside the Tyler city limits and in the unincorporated areas, administering the TCEQ's On Site Sewage Facility (OSSF) program.</li> <li>Since most septic systems occur out in the County, the County will continue to be the primary oversight for these systems, as described in their interlocal agreement with the City of Tyler.</li> <li>Some septic systems are located in Tyler's regulated UA and the City will participate in public education activities to inform the public of proper maintenance.</li> <li>The Storm Water Stakeholders Group selected this BMP as the third highest priority BMP for Illicit Discharge Detection and Elimination.</li> </ul>	
<b>YEAR</b>	<b>IMPLEMENTATION ACTIVITY</b>	<b>MEASURABLE GOAL</b>	
01/01/19 – 12/31/19	<ul style="list-style-type: none"> <li>Distribute existing brochures in coordination with Smith County</li> </ul>	Number of brochures produced per year	
01/01/20 – 12/31/20	<ul style="list-style-type: none"> <li>Distribute existing brochures in coordination with Smith County</li> </ul>	Number of brochures produced per year	
01/01/21 – 12/31/21	<ul style="list-style-type: none"> <li>Distribute existing brochures in coordination with Smith County</li> </ul>	Number of brochures produced per year	
01/01/22 – 12/31/22	<ul style="list-style-type: none"> <li>Distribute existing brochures in coordination with Smith County</li> </ul>	Number of brochures produced per year	
01/01/23 – 12/31/23	<ul style="list-style-type: none"> <li>Distribute existing brochures in coordination with Smith County</li> </ul>	Number of brochures produced per year	
<p><b>REFERENCES</b></p> <p>TPDES General Permit TXR040000. <i>Small MS4 General Permit, Part III, Section B.2(a)(1)(e): pg.37</i></p>			

	<h2>REDUCE ILLEGAL DUMPING</h2>	<b>ID-7</b>
<p><b>RESPONSIBLE AUTHORITY</b></p> <p>*Code Enforcement GIS</p>	<p><b>DESCRIPTION</b></p> <p>The reduction and elimination of illegal dumping in Tyler depends on the successful implementation of many of the previously discussed BMPs. Tyler relies heavily on public education to inform citizens of the environmental concerns and legal implications of illegal dumping. The City maintains a Hotline for citizens to report illegal dumping and has a link on the City's web site to the Don't Mess with Texas Report a Litterer page.</p> <div data-bbox="1060 260 1479 674" style="border: 1px solid black; padding: 5px;"> <p style="background-color: red; color: white; text-align: center; margin: 0;"><b>Report A Litterer</b></p> <p style="font-size: small;">Help us keep Tyler, Smith County and all of Texas litter free! You can anonymously report a litterer to the Texas Department of Transportation's Don't Mess With Texas folks and they will be happy to send litter bugs a special message about throwing trash out on our streets and highways. There are two ways to report a litterer. Click on the pictures below for more information! For Online Reporting, Click below:</p>  </div> <p>The City also maintains camera surveillance at problem dump site to capture and prosecute offenders.</p>	
<p><b>APPLICABILITY</b></p> <p>X Residents</p> <p>X Visitors</p> <p>X Public Service Employees</p> <p>Businesses</p> <p>Commercial/Industrial</p> <p>X Construction</p>	<p><b>RATIONALE FOR SELECTION</b></p> <ul style="list-style-type: none"> <li>• Tyler has implemented a targeted public education program, using several of the recommended BMPs for the public education minimum control measure.</li> <li>• Use of cameras for surveillance of problem dump sites has been extremely successful in prosecuting offenders and reducing illegal dumping.</li> <li>• This BMP was effective during the first permit term.</li> </ul>	
<p><b>YEAR</b></p>	<p><b>IMPLEMENTATION ACTIVITY</b></p>	<p><b>MEASURABLE GOAL</b></p>
<p>01/01/19 – 12/31/19</p>	<ul style="list-style-type: none"> <li>• Educate via website and literature</li> <li>• Maintain surveillance cameras at problem sites</li> <li>• Investigate and track reports of illegal dumping</li> </ul>	<p>At least 6 cameras at dump sites. Update map of cameras and active dump sites 1/year</p>
<p>01/01/20 – 12/31/20</p>	<ul style="list-style-type: none"> <li>• Educate via website and literature</li> <li>• Maintain surveillance cameras at problem sites</li> <li>• Investigate and track reports of illegal dumping</li> </ul>	<p>At least 6 cameras at dump sites. Update map of cameras and active dump sites 1/year</p>
<p>01/01/21 – 12/31/21</p>	<ul style="list-style-type: none"> <li>• Educate via website and literature</li> <li>• Maintain surveillance cameras at problem sites</li> <li>• Investigate and track reports of illegal dumping</li> </ul>	<p>At least 6 cameras at dump sites. Update map of cameras and active dump sites 1/year</p>
<p>01/01/22 – 12/31/22</p>	<ul style="list-style-type: none"> <li>• Educate via website and literature</li> <li>• Maintain surveillance cameras at problem sites</li> <li>• Investigate and track reports of illegal dumping</li> </ul>	<p>At least 6 cameras at dump sites. Update map of cameras and active dump sites 1/year</p>
<p>01/01/23 – 12/31/23</p>	<ul style="list-style-type: none"> <li>• Educate via website and literature</li> <li>• Maintain surveillance cameras at problem sites</li> <li>• Investigate and track reports of illegal dumping</li> </ul>	<p>At least 6 cameras at dump sites. Update map of cameras and active dump sites 1/year</p>
<p><b>REFERENCES</b></p> <p>TPDES General Permit TXR040000. <i>Small MS4 General Permit, Part III, Section B.2(c)(3): pg.38</i></p>		





## SOLID WASTE COLLECTION EVENTS & RECYCLING

ID-8

### DESCRIPTION

The City of Tyler currently holds City-Wide Cleanup Events twice per year and a Prescription Drug Collection Event once per year. Other collection events such as “Free Paint Recycle Day” may be held throughout the year.



Recycling is promoted and collected on a daily basis. Metals, plastics, glass, batteries, antifreeze, oils, electronics, and paper are accepted. Furniture and appliances are also accepted.

The City promotes these collection events and services utilizing multiple media forms, including social, to make more citizens aware of this service. The City currently tracks the amount of material collected at the annual events and will report this quantity as a measurable goal.

### RATIONALE FOR SELECTION

- The City of Tyler currently performs collection events throughout the City.
- Improper disposal of prescription drugs in the landfill or down the sanitary sewer can cause water quality problems and can pose significant risks to human health and the environment.
- This BMP was effective during the first permit term.
- Recycling activity has been added for this permit term; the more that is collected, the less in landfills and potentially our surface waters

### RESPONSIBLE AUTHORITY

\*Solid Waste  
Special Events  
Coordinator

### APPLICABILITY

- X Residents
- Visitors
- X Public Service Employees
- Businesses
- Commercial/Industrial
- Construction

YEAR	IMPLEMENTATION ACTIVITY	MEASURABLE GOAL
01/01/19 – 12/31/19	<ul style="list-style-type: none"> <li>• Promote Collection Events and Recycling</li> <li>• Track material and quantities collected</li> </ul>	At least 2 events/year Report Quantities
01/01/20 – 12/31/20	<ul style="list-style-type: none"> <li>• Promote Collection Events and Recycling</li> <li>• Track material and quantities collected</li> </ul>	At least 2 events/year Report Quantities
01/01/21 – 12/31/21	<ul style="list-style-type: none"> <li>• Promote Collection Events and Recycling</li> <li>• Track material and quantities collected</li> </ul>	At least 2 events/year Report Quantities
01/01/22 – 12/31/22	<ul style="list-style-type: none"> <li>• Promote Collection Events and Recycling</li> <li>• Track material and quantities collected</li> </ul>	At least 2 events/year Report Quantities
01/01/23 – 12/31/23	<ul style="list-style-type: none"> <li>• Promote Collection Events and Recycling</li> <li>• Track material and quantities collected</li> </ul>	At least 2 events/year Report Quantities

### REFERENCES

TPDES General Permit TXR040000. *Small MS4 General Permit, Part III, Section B.2(a)(1): pg.36*



## PET WASTE MANAGEMENT

ID-9

### DESCRIPTION

The City of Tyler has 27 Parks located throughout the City. All the parks except Lindsey Park are located within the UA. Pet waste in parks can be a source of fecal (E. coli) pollution in area waterways particularly if the park is located near a waterbody. The City maintains eight (8) Pet Waste Stations at four (4) city parks, Rose Rudman Park, Southside Park, Bergfield Park, and Pollard Park.



Parks and Recreation Department staff checks and maintains supplies on a daily basis. This is an important BMP to reduce bacterial contamination in area creeks. In addition, City staff checks in with Caldwell Zoo to make sure that good housekeeping practices are in place to minimize the contact of animal waste and stormwater.

### RESPONSIBLE AUTHORITY

\*Parks

### APPLICABILITY

- X Residents
- X Visitors
- X Public Service Employees
- Businesses
- Commercial/Industrial
- Construction

### RATIONALE FOR SELECTION

- Woldert Park is located adjacent to Black Fork Creek. Rose Rudman Park, Southside Park and Faulkner Park are located adjacent to West Mud Creek. Both Black Fork Creek and West Mud Creek are impaired due to high levels of bacteria.
- The Small MS4 General Permit requires that permittees that discharge directly to impaired waterbodies, without an approved TMDL, ensure that their SWMP includes focused BMPs to reduce the pollutant of concern.
- This BMP was added as a focused BMP to address bacterial contamination due to pet waste.

YEAR	IMPLEMENTATION ACTIVITY	MEASURABLE GOAL
12/13/13 – 09/30/15	<ul style="list-style-type: none"> <li>• Add two (2) pet waste stations in city parks</li> <li>• Maintain pet waste stations in city parks</li> <li>• Contact Caldwell Zoo</li> </ul>	Map of stations Number of supplies ordered Report on contact
10/1/15 – 9/30/16	<ul style="list-style-type: none"> <li>• Add two (2) pet waste stations in city parks</li> <li>• Maintain pet waste stations in city parks</li> <li>• Contact Caldwell Zoo</li> </ul>	Maintain map Number of supplies ordered Report on contact
10/1/16 – 9/30/17	<ul style="list-style-type: none"> <li>• Add two (2) pet waste stations in city parks</li> <li>• Maintain pet waste stations in city parks</li> <li>• Contact Caldwell Zoo</li> </ul>	Maintain map Number of supplies ordered Report on contact
10/1/17 – 9/30/18	<ul style="list-style-type: none"> <li>• Add two (2) pet waste stations in city parks</li> <li>• Maintain pet waste stations in city parks</li> <li>• Contact Caldwell Zoo</li> </ul>	Maintain map Number of supplies ordered Report on contact
10/1/18 – 12/13/18	<ul style="list-style-type: none"> <li>• Add two (2) pet waste stations in city parks</li> <li>• Maintain pet waste stations in city parks</li> <li>• Contact Caldwell Zoo</li> </ul>	Maintain map Number of supplies ordered Report on contact

### REFERENCES

TPDES General Permit TXR040000. *Small MS4 General Permit, Part III, Section B.2(a)(1)(e): pg.32*



## ENFORCE THE FOG ORDINANCE

**ID-10**

### DESCRIPTION

On 13 February 2019, the City of Tyler ratified a Fats, Oils, and Grease (FOG) ordinance. This ordinance gives the City the ability to regulate FOG from certain food service establishments, or FSEs, (restaurants, cafeterias, etc.) and non-FSEs such as a car wash or equipment dealership with a grit trap.



These grease/grit reduction devices (GRD) will be inspected at least annually, and service records will be checked for the required minimum quarterly servicing. Follow up inspections and enforcement will take place as necessary.

### RESPONSIBLE AUTHORITY

**\*Water Admin**  
Building/Utility  
Inspectors

### APPLICABILITY

- X Residents
- Visitors
- X Public Service Employees
- X Businesses
- X Commercial/Industrial
- Construction

### RATIONALE FOR SELECTION

- A FOG ordinance gives the city the legal authority to enforce minimum size requirements for new construction, and an avenue to force non-compliant operators to come into compliance.
- When inspecting GRDs, the City has the authority take steps as necessary if entities are not compliant.
- A FOG Control Program is an integral part of the sanitary sewer collection system's Capacity, Management, Operation, and Maintenance (CMOM) program.
- FOG is a major cause of sanitary sewer overflows.

YEAR	IMPLEMENTATION ACTIVITY	MEASURABLE GOAL
01/01/19 – 12/31/19	<ul style="list-style-type: none"> <li>• Review permit requests for GRDs</li> <li>• Inspect new and existing GRDs</li> <li>• Develop location listing of non-FSE GRDs</li> </ul>	Report GRD inspections and enforcements annually
01/01/20 – 12/31/20	<ul style="list-style-type: none"> <li>• Review permit requests for GRDs</li> <li>• Inspect new and existing GRDs</li> </ul>	Report GRD inspections and enforcements annually
01/01/21 – 12/31/21	<ul style="list-style-type: none"> <li>• Review permit requests for GRDs</li> <li>• Inspect new and existing GRDs</li> </ul>	Report GRD inspections and enforcements annually
01/01/22 – 12/31/22	<ul style="list-style-type: none"> <li>• Review permit requests for GRDs</li> <li>• Inspect new and existing GRDs</li> </ul>	Report GRD inspections and enforcements annually
01/01/23 – 12/31/23	<ul style="list-style-type: none"> <li>• Review permit requests for GRDs</li> <li>• Inspect new and existing GRDs</li> </ul>	Report GRD inspections and enforcements annually

### REFERENCES

TPDES General Permit TXR040000. *Small MS4 General Permit, Part III, Section B.2(a)(1): pg.36*

### 5.3. MCM #3 - Construction Site Stormwater Runoff Control

To date, control of construction site runoff has been the most publicly visible element of the stormwater program. During a short period of time, construction sites can contribute more sediment to streams than can be deposited naturally during several decades. Therefore, this MCM may generate more enforcement activity than all other stormwater program control elements combined.

As specified in the Small MS4 General Permit, all permittees shall develop, implement and enforce a program requiring operators of small and large construction activities to select, install, implement, and maintain stormwater control measures that prevent illicit discharges to the MEP. The program must include the development and implementation of an ordinance or other regulatory mechanism, as well as sanctions to ensure compliance to the extent allowable under state, federal, and local law, to require erosion and sediment control.

The City an ordinance addressing construction site erosion control. The ordinance, Article VII. Environmental Regulations, Division E, Erosion and Sediment Control, Sections 10-520 through 10-536 were last revised on 6/8/2011.

Existing permittees, such as the City of Tyler must assess program elements that were described in the previous permit, modify as necessary, and develop and implement new elements, as necessary, to continue reducing the discharge of pollutants from the MS4 to the MEP. The City has determined that its current program, with minor modifications, meets the new permit requirements and reduces the discharge of pollutants from the MS4 to the MEP.

To comply with the regulatory requirements for this program element, the following BMPs have been selected by the City of Tyler:

- C-1 Enforce Erosion Control Ordinance;
- C-2 Erosion Control Plan Review Procedures;
- C-3 Construction Site Inspections;
- C-4 Construction General Permit Training; and
- C-5 Stormwater Hotline for Receipt of Public Comment.

The following BMP sheets describe individual BMPs in Tyler's SWMP. The City Department that has the primary responsibility for implementing the BMP is listed in the Responsible Authority section. The primary department is listed in bold type font with an "\*" and any support departments are listed as unbolded font. The Applicability Section describes those sectors of the public that are targeted by the BMP. Tyler's Construction BMPs target all six (6) sectors of the public including residents, visitors, public service employees, businesses, commercial and industrial facilities, and construction site personnel.



# ENFORCE EROSION CONTROL ORDINANCE

C-1

## DESCRIPTION

The City strengthened its Erosion and Sediment Control Ordinance in 2011, to require construction site operators to apply for a clearing and grading permit prior to earth disturbing activities. The ordinance requires operators to submit a copy of their Erosion Control Plan with Drainage Plans to the City Engineer for review. The ordinance requires that the Erosion and Sediment Control Plan comply with requirements of TPDES TXR150000. The ordinance includes enforcement actions and penalties to ensure compliance. The City will continue to enforce the Erosion and Sediment Control Ordinance.

CITY OF TYLER, TEXAS, CODE OF ORDINANCES

**DIVISION E.**  
**Erosion and Sedimentation Control**

**Sec. 10-520. Findings of Fact and Purpose**  
 When development or construction activities result in earth changes, soil erosion is likely to occur which will result in hazards to health and safety with damage to property under both normal rainfall events and/or heavy rainfall/flooding events, unless erosion and sedimentation control measures are implemented. (Ord. No. 0-99-19; 2/24/99) (Ord. No. 0-2011-45, 6/8/11)  
 The purpose of this division is to promote the public health, safety, and welfare and to minimize public and private losses due to erosion and sedimentation in all areas by provisions designed to:

- Protect human life and health;
- Minimize expenditure of public money for costly erosion control projects;
- Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at public expense;
- Minimize negative impacts to adjacent properties due to erosion and sedimentation and prevent water pollution;
- Minimize prolonged business interruptions;
- Minimize negative impact to public streets, storm sewer systems and drainage ways;
- Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges; and
- Help maintain a stable tax base by providing for the sound use and development of property so as to minimize erosion. (Ord. No. 0-99-19; 2/24/99) (Ord. No. 0-2011-45, 6/8/11)

**Sec. 10-521. Reserved.**

**Sec. 10-522. Methods of Reducing Erosion and Sedimentation Losses**  
 In order to accomplish its purposes, this division uses the following methods:

- Restricts or prohibits uses that are dangerous to health, safety or property in times of flood, or cause excessive increases in flood heights or velocities;
- Controls the alteration of natural floodplains, stream channels and natural protective barriers;
- Controls filling, grading, dredging and other development which may increase erosion damage; and
- Controls earth changes which may cause erosion and/or sedimentation damage. (Ord. No. 0-99-19; 2/24/99)

**Sec. 10-523. Establishment of Clearing and Grading Permit**  
 A clearing and grading permit is required to ensure conformance with the requirements of this

## RESPONSIBLE AUTHORITY

**\*Development Services**  
 City Attorney  
 Building Inspection

## APPLICABILITY

- Residents
- Visitors
- Public Service Employees
- X Businesses
- X Commercial/Industrial
- X Construction

## RATIONALE FOR SELECTION

- The Small MS4 General Permit requires that the SWMP includes the development and implementation of an ordinance or other regulatory mechanism, as well as sanctions to ensure compliance to the extent allowable under state, federal, and local law.
- The City strengthened its Erosion and Sediment Control Ordinance in 2011 and will continue to enforce the ordinance.

YEAR	IMPLEMENTATION ACTIVITY	MEASURABLE GOAL
01/01/19 – 12/31/19	• Continue to enforce the City's Erosion and Sediment Control Ordinance	List of enforcement orders and/or fines
01/01/20 – 12/31/20	• Continue to enforce the City's Erosion and Sediment Control Ordinance	List of enforcement orders and/or fines
01/01/21 – 12/31/21	• Continue to enforce the City's Erosion and Sediment Control Ordinance	List of enforcement orders and/or fines
01/01/22 – 12/31/22	• Continue to enforce the City's Erosion and Sediment Control Ordinance	List of enforcement orders and/or fines
01/01/23 – 12/31/23	• Continue to enforce the City's Erosion and Sediment Control Ordinance	List of enforcement orders and/or fines

## REFERENCES

TPDES General Permit TXR040000. *Small MS4 General Permit, Part III, Section B.3(a)(1): pg.40*



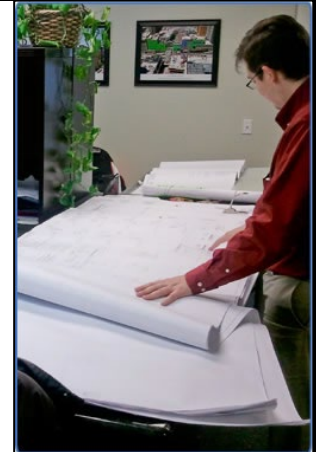


## EROSION CONTROL PLAN REVIEW PROCEDURES

**C-2**

### DESCRIPTION

As part of their development review procedures, the City of Tyler currently reviews construction plans, including erosion and sediment control plans. Per City ordinance, any earth disturbing activity must have a clearing and grading permit. A copy of the applicant's Erosion and Sediment Control Plan must accompany the drainage plans as part of the permitting process. Erosion and sediment control plans are reviewed for compliance with TXR150000.



### RESPONSIBLE AUTHORITY

**\*Development Services**  
Engineering Services  
Water Utilities

### APPLICABILITY

Residents

Visitors

Public Service Employees

X Businesses

X Commercial/Industrial

X Construction

The site plan review procedures must incorporate consideration of potential water quality impacts. The Small MS4 Permit also requires that Level 3 MS4s maintain an inventory of all permitted active public and private construction sites. The inventory should include City CIP projects. Private construction sites may be inventoried based on TXR150000 NOIs and CSNs submitted to the City and Clearing and Grading Permits approved by the City. The inventory may be either a list or map and should be updated on a monthly basis. Sites may be removed from the inventory based on NOTs that are submitted to the City.

### RATIONALE FOR SELECTION

- The Small MS4 General Permit requires that traditional MS4s implement site plan review procedures to the extent allowable by state, federal and local law.
- The Development Services Department currently performs review of development plans. This procedure appears to be effective and will continue during the second permit term.

YEAR	IMPLEMENTATION ACTIVITY	MEASURABLE GOAL
01/01/19– 12/31/19	<ul style="list-style-type: none"> <li>• Review all applicable erosion control plans submitted to the City as required by ordinance</li> <li>• Maintain construction site inventory of all permitted sites</li> </ul>	Review 100% of plans submitted List/Map of active construction sites
01/01/20– 12/31/20	<ul style="list-style-type: none"> <li>• Review all applicable erosion control plans submitted to the City as required by ordinance</li> <li>• Maintain construction site inventory of all permitted sites</li> </ul>	Review 100% of plans submitted List/Map of active construction sites
01/01/21– 12/31/21	<ul style="list-style-type: none"> <li>• Review all applicable erosion control plans submitted to the City as required by ordinance</li> <li>• Maintain construction site inventory of all permitted sites</li> </ul>	Review 100% of plans submitted List/Map of active construction sites
01/01/22– 12/31/22	<ul style="list-style-type: none"> <li>• Review all applicable erosion control plans submitted to the City as required by ordinance</li> <li>• Maintain construction site inventory of all permitted sites</li> </ul>	Review 100% of plans submitted List/Map of active construction sites
01/01/23– 12/31/23	<ul style="list-style-type: none"> <li>• Review all applicable erosion control plans submitted to the City as required by ordinance</li> <li>• Maintain construction site inventory of all permitted sites</li> </ul>	Review 100% of plans submitted List/Map of active construction sites

### REFERENCES

TPDES General Permit TXR040000. *Small MS4 General Permit, Part III, Section B.3(b)(4)(a,b): pg.41-42*



## CONSTRUCTION SITE INSPECTIONS

**C-3**

### DESCRIPTION

The Development Services staff performs construction site inspections. To facilitate these inspections, the City established points during the development process at which inspections must be performed before the process can continue.



Erosion control inspections performed on utility and grading projects and CIP projects are tracked. Tracking includes both electronic system utilized by Building Inspectors in Development Services, and PDF documents utilized by the Utility Inspectors.

The frequency of inspections should consider factors that are a threat to water quality and inspections should be made during the active construction phase. Written procedures should be maintained on-site and made available to TCEQ. Written inspection reports or checklists need to be maintained along with findings and follow actions.

### RESPONSIBLE AUTHORITY

**\*Water Utilities**  
Development Services  
Building Inspection

### APPLICABILITY

- Residents
- Visitors
- Public Service Employees
- X Businesses
- X Commercial/Industrial
- X Construction

### RATIONALE FOR SELECTION

- Required component of the Small MS4 General Permit.
- The Development Services Department currently performs construction inspection for the erosion control plans. This procedure appears to be effective and will continue through the second permit term.

YEAR	IMPLEMENTATION ACTIVITY	MEASURABLE GOAL
01/01/19 – 12/31/19	<ul style="list-style-type: none"> <li>• Continue existing construction inspections and documentation</li> </ul>	Track site inspections Report number of inspections
01/01/20 – 12/31/20	<ul style="list-style-type: none"> <li>• Continue existing construction inspections and documentation</li> </ul>	Track site inspections Report number of inspections
01/01/21 – 12/31/21	<ul style="list-style-type: none"> <li>• Continue existing construction inspections and documentation</li> </ul>	Track site inspections Report number of inspections
01/01/22 – 12/31/22	<ul style="list-style-type: none"> <li>• Continue existing construction inspections and documentation</li> </ul>	Track site inspections Report number of inspections
01/01/23 – 12/31/23	<ul style="list-style-type: none"> <li>• Continue existing construction inspections and documentation</li> </ul>	Track site inspections Report number of inspections

### REFERENCES

TPDES General Permit TXR040000. *Small MS4 General Permit, Part III, Section B.3(b)(5)(a): pg.42*



## CONSTRUCTION GENERAL PERMIT TRAINING

C-4

### DESCRIPTION

The City will advertise training programs for construction permitting and erosion control BMPs if/when they are available in the local area. Training may be provided through the East Texas Council of Governments or the local university or junior college.



The Small MS4 General Permit requires that the City ensures that all staff whose primary job duties are related to implementing the construction stormwater program (including permitting, plan review, construction site inspections and enforcement) are informed or trained to conduct such activities.

### RESPONSIBLE AUTHORITY

\*Development Services

### APPLICABILITY

Residents

Visitors

Public Service Employees

X Businesses

X Commercial/Industrial

X Construction

### RATIONALE FOR SELECTION

- Employee training is required by the Small MS4 General Permit.
- Advertising local training programs is an excellent way to keep developers and construction site operators informed about current BMPs and regulations.

YEAR	IMPLEMENTATION ACTIVITY	MEASURABLE GOAL
01/01/19 – 12/31/19	<ul style="list-style-type: none"> <li>• Advertise local training programs, when available</li> </ul>	Advertisement, if available. Report number of trainings
01/01/20 – 12/31/20	<ul style="list-style-type: none"> <li>• Advertise local training programs, when available</li> </ul>	Advertisement, if available. Report number of trainings
01/01/21 – 12/31/21	<ul style="list-style-type: none"> <li>• Advertise local training programs, when available</li> </ul>	Advertisement, if available. Report number of trainings
01/01/22 – 12/31/22	<ul style="list-style-type: none"> <li>• Advertise local training programs, when available</li> </ul>	Advertisement, if available. Report number of trainings
01/01/23 – 12/31/23	<ul style="list-style-type: none"> <li>• Advertise local training programs, when available</li> </ul>	Advertisement, if available. Report number of trainings

### REFERENCES

TPDES General Permit TXR040000. *Small MS4 General Permit, Part III, Section B.3(b)(7): pg.42-43*





# STORM WATER HOTLINE FOR RECEIPT OF PUBLIC COMMENT

C-5

## RESPONSIBLE AUTHORITY

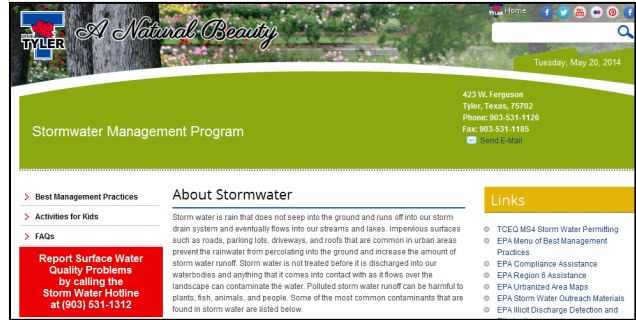
\*Developmental Services

## APPLICABILITY

- X Residents
- X Visitors
- X Public Service Employees
- X Businesses
- X Commercial/Industrial
- X Construction

## DESCRIPTION

The City of Tyler utilizes a storm water hotline for reporting potential violations related to construction activities. This number is active 24 hours a day. This hotline is aggressively promoted through several of the previously mentioned public education BMPs including the City's web site. Code Enforcement personnel respond and investigate these calls.



The stormwater hotline allows the public to be actively involved in the implementation of the City's stormwater program. This hotline is used for public input regarding any aspect of stormwater including reporting of illicit discharges, illegal dumping and construction site problems.

## RATIONALE FOR SELECTION

- Storm Water Hotlines provide citizens with an avenue to voice concerns and report potential violations to the appropriate authorities regarding construction activities and other stormwater issues.
- The Storm Water Stakeholders Group selected a Storm Water Hotline as the third highest priority BMP for Public Involvement and Participation.
- This BMP was effective during the first permit term.

YEAR	IMPLEMENTATION ACTIVITY	MEASURABLE GOAL
01/01/19 – 12/31/19	<ul style="list-style-type: none"> <li>• Publicize storm water hotline</li> <li>• Track public comments and investigations</li> </ul>	Track comments/complaints Report number
01/01/20 – 12/31/20	<ul style="list-style-type: none"> <li>• Publicize storm water hotline</li> <li>• Track complaint investigations from hotline</li> </ul>	Track comments/complaints Report number
01/01/21 – 12/31/21	<ul style="list-style-type: none"> <li>• Publicize storm water hotline</li> <li>• Track complaint investigations from hotline</li> </ul>	Track comments/complaints Report number
01/01/22 – 12/31/22	<ul style="list-style-type: none"> <li>• Publicize storm water hotline</li> <li>• Track complaint investigations from hotline</li> </ul>	Track comments/complaints Report number
01/01/23 – 12/31/23	<ul style="list-style-type: none"> <li>• Publicize storm water hotline</li> <li>• Track complaint investigations from hotline</li> </ul>	Track comments/complaints Report number

## REFERENCES

TPDES General Permit TXR040000. *Small MS4 General Permit, Part III, Section B.3(b)(6): pg.42*

#### 5.4. MCM #4 - Post-Construction Stormwater Management in Areas of New Development and Redevelopment

Numerous studies have documented that stormwater runoff from developed sites contributes significant pollutant loads to receiving waters. The increase in impervious surfaces such as rooftops, roads, and parking lots can increase urban runoff and have a detrimental impact on aquatic systems due to increased concentrations of sediment, nutrients, road salts, heavy metals, pathogenic bacteria, and petroleum hydrocarbons. The best way to mitigate stormwater impacts from new development is to use practices to treat, store, and infiltrate runoff onsite before it can affect downstream waterbodies. Innovative site designs that reduce imperviousness and smaller-scale low impact development practices may be dispersed throughout a site to achieve the goals of reducing flows and improving water quality.

As specified in the Small MS4 General Permit, the SWMP must include controls for post-construction stormwater management for new development and redevelopment projects. All permittees must develop, implement and enforce a program, to the extent allowable under state, federal, and local law, to control stormwater discharges from new development and redeveloped sites that discharge into the small MS4. This applies to projects that disturb one (1) acre or more, including projects that disturb less than one (1) acre that are part of a larger common plan of development or sale. The post-construction program must apply to both public and private development sites.

Existing permittees, such as the City of Tyler must assess program elements that were described in the previous permit, modify as necessary, and develop and implement new elements, as necessary, to continue reducing the discharge of pollutants from the MS4 to the MEP. The City has determined that its current program, with minor modifications, meets the new permit requirements and reduces the discharge of pollutants from the MS4 to the MEP.

To comply with the regulatory requirements for this program element, the following BMPs have been selected by the City of Tyler:

- PC-1 Post Construction Ordinance;
- PC-2 Post Construction BMP Manual;
- PC-3 Long Term Operation and Maintenance of BMPs; and
- PC-4 Sediment Control at City Facilities.

The following BMP sheets describe individual BMPs in Tyler's SWMP. The City Department that has the primary responsibility for implementing the BMP is listed in the Responsible Authority section. The primary department is listed in bold type font with an "\*" and any support departments are listed as unbolded font. The Applicability Section describes those sectors of the public that are targeted by the BMP. Tyler's Post-Construction BMPs targets primarily construction site personnel, businesses, and commercial and industrial facilities.



# POST CONSTRUCTION ORDINANCE

PC-1

## DESCRIPTION

Tyler adopted an ordinance to address post-construction runoff from new development and redevelopment projects during the first permit term. The purpose of the ordinance was to establish minimum stormwater management requirements to minimize flooding, siltation, increases in stream temperature, streambank erosion and nonpoint source pollution. The ordinance was adopted in 2011. The City will continue to enforce the existing ordinance and maintain documentation of all enforcement actions and make them available for review by TCEQ.

CITY OF TYLER, TEXAS, CODE OF ORDINANCES

### DIVISION F. Control of Post Construction Stormwater Runoff

#### Sec. 10-537. General Provisions

##### a. Findings of Fact

It is hereby determined that:

1. Land development projects and associated increases in impervious cover alter the hydrologic response of local watersheds and increase stormwater runoff rates and volumes, flooding, stream channel erosion, and sediment transport and deposition;

2. This stormwater runoff contributes to increased quantities of water-borne pollutants, and Stormwater runoff, soil erosion and nonpoint source pollution can be controlled and minimized through the regulation of stormwater runoff from development sites.

3. Therefore, the City of Tyler establishes this set of water quality and quantity policies applicable to all surface waters to provide reasonable guidance for the regulation of stormwater runoff for the purpose of protecting local water resources from degradation. It is determined that the regulation of stormwater runoff discharges from land development projects and other construction activities in order to control and minimize increases in stormwater runoff rates and volumes, soil erosion, stream channel erosion, and nonpoint source pollution associated with stormwater runoff is in the public interest and will help minimize threats to public health and safety.

##### b. Purpose

The purpose of this ordinance is to establish minimum stormwater management requirements and controls to protect and safeguard the general health, safety, and welfare of the public residing in watersheds within this jurisdiction. This ordinance seeks to meet that purpose through the following objectives:

1. Minimize increases in stormwater runoff from any development in order to reduce flooding, siltation, increases in stream temperature, and streambank erosion and maintain the integrity of stream channels;

2. Minimize increases in nonpoint source pollution caused by stormwater runoff from development which would otherwise degrade local water quality

3. Minimize the total annual volume of surface water runoff which flows from any specific site during and following development to not exceed the pre-development hydrologic regime to the maximum extent practicable.

4. Reduce stormwater runoff rates and volumes, soil erosion and nonpoint source pollution, wherever possible, through stormwater management controls and to ensure that these management controls are properly maintained and pose no threat to public safety.

##### c. Applicability

This ordinance shall be applicable to all subdivision or site plan applications, unless eligible for an exemption or granted a waiver by the City of Tyler under the specifications of Sec 10-540 of this ordinance. The ordinance also applies to land development activities that are

-1

## RESPONSIBLE AUTHORITY

**\*Development Services**

City Attorney  
Building Inspection

## APPLICABILITY

Residents

Visitors

Public Service Employees

X Businesses

X Commercial/Industrial

X Construction

## RATIONALE FOR SELECTION

- The Small MS4 General Permit requires the development of a regulatory mechanism to the extent allowable under state, federal and local law.
- The ordinance was adopted during the first permit term
- The City will continue to enforce existing ordinances

### YEAR

### IMPLEMENTATION ACTIVITY

### MEASURABLE GOAL

01/01/19 – 12/31/19

- Enforce existing ordinance

List of enforcement actions

01/01/20 – 12/31/20

- Enforce existing ordinance

List of enforcement actions

01/01/21 – 12/31/21

- Enforce existing ordinance

List of enforcement actions

01/01/22 – 12/31/22

- Enforce existing ordinance

List of enforcement actions


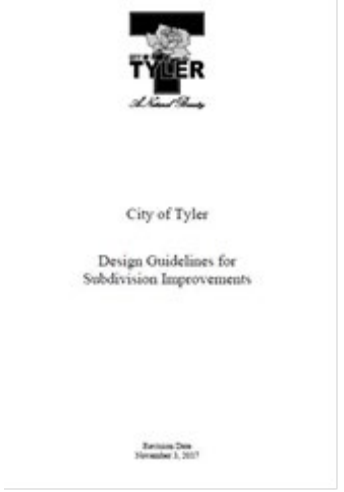
01/01/23 – 12/31/23

- Enforce existing ordinance

List of enforcement actions

## REFERENCES

TPDES General Permit TXR040000. *Small MS4 General Permit, Part III, Section B.4(a)(2): pg.43*

		<b>POST-CONSTRUCTION BMP MANUAL</b>		<b>PC-2</b>
		<b>DESCRIPTION</b> <p>The City developed a Post-Construction (PC) BMP Manual during the first permit term to accompany the post-construction ordinance (PC-1), which outlines design standards for permanent BMPs. The Design Guidelines for Subdivision Improvements was recently updated on 3 November 2017.</p> <p>The Design Guidelines will be reviewed once per permit term to ensure it is providing adequate guidance on the proper design and maintenance of post-construction BMPs for engineers, developers and construction site operators. Additional guidance on stormwater controls are outlined in the Tyler Unified Development Code contained in Chapter 10 of the City Ordinances.</p>		
<b>RESPONSIBLE AUTHORITY</b>  *Development Services		<b>RATIONALE FOR SELECTION</b>  <ul style="list-style-type: none"> <li>Design guidance is required for PC BMPs on proper design and maintenance.</li> </ul>		
<b>APPLICABILITY</b>  Residents  Visitors  X Public Service Employees  X Businesses  X Commercial/Industrial  X Construction				
YEAR	IMPLEMENTATION ACTIVITY		MEASURABLE GOAL	
01/01/19 – 12/31/19	<ul style="list-style-type: none"> <li>None</li> </ul>		Report updates	
01/01/20 – 12/31/20	<ul style="list-style-type: none"> <li>None</li> <li>Review Design Guidelines</li> </ul>		Report updates	
01/01/21 – 12/31/21	<ul style="list-style-type: none"> <li>None</li> </ul>		Report updates	
01/01/22 – 12/31/22	<ul style="list-style-type: none"> <li>None</li> </ul>		Report updates	
01/01/23 – 12/31/23	<ul style="list-style-type: none"> <li>None</li> </ul>		Report updates	
<b>REFERENCES</b> TPDES General Permit TXR040000. <i>Small MS4 General Permit, Part III, Section B.4(a)(1): pg.43</i>				



## LONG TERM OPERATION AND MAINTENANCE OF BMPs

**PC-3**

### DESCRIPTION

The inspections are necessary to determine the effectiveness of a BMP, which can significantly be reduced by the lack of maintenance. Additional inspections and maintenance may result from citizen reporting and complaints through the storm water hotline. The City will maintain a GIS map of permanent, public infrastructure BMPs that require inspection and maintenance by the City. A GIS map of privately maintained post-construction BMPs that are maintained through maintenance covenants recorded into the land record will also be developed and updated annually.



### RESPONSIBLE AUTHORITY

**\*Water Utilities**  
GIS  
Streets

### APPLICABILITY

- Residents
- Visitors
- X Public Service Employees
- X Businesses
- X Commercial/Industrial
- X Construction

### RATIONALE FOR SELECTION



- The Small MS4 General Permit requires the City to provide for the long-term operation and maintenance of the post-construction BMPs that are constructed in new development and redevelopment projects that disturb greater than or equal to one acre.
- Public Infrastructure BMPs are maintained by the City.
- Privately owned BMPs are maintained by the owner through a maintenance covenant.

YEAR	IMPLEMENTATION ACTIVITY	MEASURABLE GOAL
01/01/19– 12/31/19	<ul style="list-style-type: none"> <li>• Maintain GIS map of permanent, public infrastructure BMPs</li> <li>• Maintain public infrastructure BMPs, as needed</li> </ul>	Report Number of Map Edits Report Number of Inspections
01/01/20– 12/31/20	<ul style="list-style-type: none"> <li>• Maintain GIS map of permanent, public infrastructure BMPs</li> <li>• Maintain public infrastructure BMPs, as needed</li> </ul>	Report Number of Map Edits Report Number of Inspections
01/01/21– 12/31/21	<ul style="list-style-type: none"> <li>• Maintain GIS map of permanent, public infrastructure BMPs</li> <li>• Maintain public infrastructure BMPs, as needed</li> <li>• Develop GIS map of permanent, privately maintained BMPs</li> </ul>	Report Number of Map Edits Report Number of Inspections
01/01/22– 12/31/22	<ul style="list-style-type: none"> <li>• Maintain GIS map of permanent, public infrastructure BMPs</li> <li>• Maintain public infrastructure BMPs, as needed</li> <li>• Develop GIS map of permanent, privately maintained BMPs</li> </ul>	Report Number of Map Edits Report Number of Inspections
01/01/23– 12/31/23	<ul style="list-style-type: none"> <li>• Maintain GIS map of permanent, public infrastructure BMPs</li> <li>• Maintain public infrastructure BMPs, as needed</li> <li>• Maintain GIS map of permanent, privately maintained BMPs</li> </ul>	Report Number of Map Edits Report Number of Inspections

### REFERENCES

TPDES General Permit TXR040000. *Small MS4 General Permit, Part III, Section B.4(b)(3)(a,b): pg.44*



		<b>SEDIMENT CONTROL AT CITY FACILITIES</b>	<b>PC-4</b>
		<p><b>DESCRIPTION</b></p> <p>This management practice will involve permanent BMPs to control sediment transport at City Facilities. At the Streets Department yard, a rock check dam will be installed at the outfall located on the southwest corner of the yard.</p> <p>All stockpiled material such as aggregate, sand, soil, mulch etc. that could be transported by stormwater runoff should be surrounded on three sides with a containment berm. In most cases, the City uses concrete containment walls around permanent stockpiles. The City will install containment berms around all permanent stockpiles. Erosion control socks can be used around temporary stockpiles to control sediment transport.</p>	
<p><b>RESPONSIBLE AUTHORITY</b></p> <p><b>*Water Utilities</b> Streets Parks</p>			
<p><b>APPLICABILITY</b></p> <p>Residents</p> <p>Visitors</p> <p>X Public Service Employees</p> <p>Businesses</p> <p>Commercial/Industrial</p> <p>Construction</p>			
		<p><b>RATIONALE FOR SELECTION</b></p> <ul style="list-style-type: none"> <li>• Recommended based on a review of City facilities.</li> <li>• Permanent, post-construction BMPs will prevent the transport of sediment off-site.</li> </ul>	
YEAR	IMPLEMENTATION ACTIVITY	MEASURABLE GOAL	
01/01/19 – 12/31/19	<ul style="list-style-type: none"> <li>• Inspect/maintain rock check dam and stockpiled material monthly</li> <li>• Document inspection with checklist or inspection log</li> </ul>	Inspection checklist/log	
01/01/20 – 12/31/20	<ul style="list-style-type: none"> <li>• Inspect/maintain rock check dam and stockpiled material monthly</li> <li>• Document inspection with checklist or inspection log</li> </ul>	Inspection checklist/log	
01/01/21 – 12/31/21	<ul style="list-style-type: none"> <li>• Inspect/maintain rock check dam and stockpiled material monthly</li> <li>• Document inspection with checklist or inspection log</li> </ul>	Inspection checklist/log	
01/01/22 – 12/31/22	<ul style="list-style-type: none"> <li>• Inspect/maintain rock check dam and stockpiled material monthly</li> <li>• Document inspection with checklist or inspection log</li> </ul>	Inspection checklist/log	
01/01/23 – 12/31/23	<ul style="list-style-type: none"> <li>• Inspect/maintain rock check dam and stockpiled material monthly</li> <li>• Document inspection with checklist or inspection log</li> </ul>	Inspection checklist/log	
<p><b>REFERENCES</b></p> <p>TPDES General Permit TXR040000. <i>Small MS4 General Permit, Part III, Section B.4(a)(2): pg.43</i></p>			

## 5.5. MCM #5 - Pollution Prevention/Good Housekeeping for Municipal Operations

Stormwater pollution prevention will only be effective if the municipality is “practicing what it preaches”. Therefore, the City’s stormwater program must be founded on achievable pollution prevention measures for the city facilities and field operations.




As specified in the Small MS4 General Permit, all permittees shall develop and implement an operation and maintenance program, including an employee training component that has the ultimate goal of preventing or reducing pollutant runoff from municipal activities and municipally owned areas including but not limited to: park and open space maintenance; street, road, or highway maintenance; fleet and building maintenance; stormwater system maintenance; new construction and land disturbances; municipal parking lots; vehicle and equipment maintenance and storage yards; waste transfer stations; and salt/sand storage locations.

Existing permittees, such as the City of Tyler must assess program elements that were described in the previous permit, modify as necessary, and develop and implement new elements, as necessary, to continue reducing the discharge of pollutants from the MS4 to the MEP. The City has determined that two (2) good housekeeping BMPs were redundant, and a reduction to 12 adheres to the goal of reducing the discharge of pollutants from the MS4 to the MEP, and eliminates confusion.

To comply with the regulatory requirements for this program element, the following BMPs have been selected by the City of Tyler:

- GH-1 Stormwater Pollution Prevention Training;
- GH-2 Used Tire and Battery Recycling;
- GH-3 Vehicle Washing;
- GH-4 Vehicle Fueling;
- GH-5 Landscape and Lawn Care;
- GH-6 Roadway Cleaning;
- GH-7 Storm Sewer System Operation and Maintenance;
- GH-8 Facility Specific SOPs;
- GH-9 Airport Operations;
- GH-10 Facilities and Control Inventory;
- GH-11 Municipal Operation and Maintenance Activities; and
- GH-12 Contractor Oversight.

The following BMP sheets describe individual BMPs in Tyler’s SWMP. The City Department that has the primary responsibility for implementing the BMP is listed in the Responsible Authority section. The primary department is listed in bold type font with an “\*” and any support departments are listed as unbolded font. The Applicability Section describes those sectors of the public that are targeted by the BMP. Tyler’s Good Housekeeping and Pollution Prevention BMPs targets exclusively Public Service Employees.

	<b>STORM WATER POLLUTION PREVENTION TRAINING</b>	<b>GH-1</b>
<b>RESPONSIBLE AUTHORITY</b>  <b>*Water Admin</b>	<div style="display: flex; justify-content: space-between;"> <div style="width: 70%;"> <p><b>DESCRIPTION</b></p> <p>In addition to the specific BMPs for Good Housekeeping and Pollution Prevention, the City of Tyler has prepared and implemented general training for City employees on storm water pollution prevention techniques. The City developed a BMP / Standard Operations (BMP/SO) manual (GH-8) for use by City staff charged with City facility and maintenance operations (both fixed facility staff and field operations). The BMP/SO manual is used during annual training. The municipal operations that have a primary role in the implementation of this SWMP attend annual training including the following departments: Engineering, Traffic Engineering, Water Utilities, Solid Waste, Code Enforcement, Development Services, Drainage Maintenance, Vehicle Equipment Services, Parks and Recreation, and Streets. The annual training is structured based on departmental needs. Some departments utilize presentations at safety meetings while others use on-line training modules. Each department is responsible for obtaining sign-in sheets for training sessions to be included in annual reports. The BMP/SO manual is reviewed annually and updated as needed. The City will ensure that all departments utilize the BMP/SO manual during annual training.</p> </div> <div style="width: 25%; border: 1px solid black; padding: 5px;">  <p style="font-size: small;">BEST MANAGEMENT PRACTICES /STANDARD OPERATIONS MANUAL FOR STORM WATER POLLUTION PREVENTION AT MUNICIPAL OPERATIONS</p> <p style="font-size: x-small;">Prepared for Phase II TPDES Storm Water Management Program City of Tyler BMP/SO Manual for Annual Pollution Prevention Training Updated August 2009</p>  </div> </div>	
<b>APPLICABILITY</b>  Residents  Visitors  X Public Service Employees  Businesses  Commercial/ Industrial  Construction	<p><b>RATIONALE FOR SELECTION</b></p> <ul style="list-style-type: none"> <li>• The permit requires that appropriate staff involved in implementing pollution prevention and good housekeeping procedures be trained.</li> <li>• The permit requires that attendance sheets be maintained.</li> </ul>	
<b>YEAR</b>	<b>IMPLEMENTATION ACTIVITY</b>	<b>MEASURABLE GOAL</b>
01/01/19 – 12/31/19	<ul style="list-style-type: none"> <li>• Conduct annual training for City facility and maintenance staff, incorporating the facility specific BMP/SO Manual</li> </ul>	Training 1/year
01/01/20 – 12/31/20	<ul style="list-style-type: none"> <li>• Conduct annual training for City facility and maintenance staff, incorporating the facility specific BMP/SO Manual</li> </ul>	Training 1/year
01/01/21 – 12/31/21	<ul style="list-style-type: none"> <li>• Conduct annual training for City facility and maintenance staff, incorporating the facility specific BMP/SO Manual</li> </ul>	Training 1/year
01/01/22 – 12/31/22	<ul style="list-style-type: none"> <li>• Conduct annual training for City facility and maintenance staff, incorporating the facility specific BMP/SO Manual</li> </ul>	Training 1/year
01/01/23 – 12/31/23	<ul style="list-style-type: none"> <li>• Conduct annual training for City facility and maintenance staff, incorporating the facility specific BMP/SO Manual</li> </ul>	Training 1/year
<p><b>REFERENCES</b>  TPDES General Permit TXR040000. <i>Small MS4 General Permit, Part III, Section B.5(b)(2): pg.45</i></p>		





## USED TIRE AND BATTERY RECYCLING

GH-2

### DESCRIPTION

The City of Tyler will continue to perform vehicle maintenance on all City owned and operated vehicles and equipment. Preventative maintenance services include fluid changes, tire and battery replacement, and some minor mechanical repairs. However, bodywork and painting is not conducted at the City service facilities.



### RESPONSIBLE AUTHORITY

\*Vehicle Equipment Services

### APPLICABILITY

Residents

Visitors

X Public Service Employees

Businesses

Commercial/Industrial

Construction

This BMP involves the proper storage and recycling of used tires, batteries, fluids, and oils. Proper disposal of contaminated debris and/or spill cleanup materials are disposed of properly as necessary.



### RATIONALE FOR SELECTION

- Vehicle maintenance is currently being performed for all City vehicles and landscape equipment at the Oakwood Municipal Complex located at 410 W. Oakwood.
- Water-based parts cleaners that filter and reuse the cleaning solution are also used by the City, which helps eliminate waste solvent generation. The solution is recycled/maintained by a local contractor.
- Recycling reduces waste and makes sense.
- Used oil and antifreeze are comingled with the City's recycled materials.

YEAR	IMPLEMENTATION ACTIVITY	MEASURABLE GOAL
01/01/19 – 12/31/19	<ul style="list-style-type: none"> <li>• Properly store and recycle used tires and batteries</li> </ul>	Report quantities recycled
01/01/20 – 12/31/20	<ul style="list-style-type: none"> <li>• Properly store and recycle used tires and batteries</li> </ul>	Report quantities recycled
01/01/21 – 12/31/21	<ul style="list-style-type: none"> <li>• Properly store and recycle used tires and batteries</li> </ul>	Report quantities recycled
01/01/22 – 12/31/22	<ul style="list-style-type: none"> <li>• Properly store and recycle used tires and batteries</li> </ul>	Report quantities recycled
01/01/23 – 12/31/23	<ul style="list-style-type: none"> <li>• Properly store and recycle used tires and batteries</li> </ul>	Report quantities recycled

### REFERENCES

TPDES General Permit TXR040000. *Small MS4 General Permit, Part III, Section B.5(a)(1): pg.45*

		<b>VEHICLE WASHING</b>	<b>GH-3</b>
		<p><b>DESCRIPTION</b></p> <p>Vehicle washing will continue to be performed at the Oakwood Municipal Complex for all City owned and operated vehicles. The grease/grit reduction device (GRD) trap will be maintained and cleaned at least quarterly.</p>	
<p><b>RESPONSIBLE AUTHORITY</b></p> <p>*Vehicle Equipment Services</p>			
<p><b>APPLICABILITY</b></p> <p>Residents</p> <p>Visitors</p> <p>X Public Service Employees</p> <p>Businesses</p> <p>Commercial/Industrial</p> <p>Construction</p>			
		<p><b>RATIONALE FOR SELECTION</b></p> <ul style="list-style-type: none"> <li>• Vehicle washing is currently being performed for all City vehicles at the Oakwood Municipal Complex located at 410 W. Oakwood in the designated washing bay.</li> <li>• Most City vehicles are washed approximately twice a week.</li> <li>• A GRD (grit trap) is utilized to filter all wash water from the car wash bay, and needs to be maintained on a regular and frequent schedule.</li> <li>• This GRD is also inspected as part of our fats, oils, and grease (FOG) ordinance enforcement (ID-10).</li> </ul>	
<b>YEAR</b>	<b>IMPLEMENTATION ACTIVITY</b>	<b>MEASURABLE GOAL</b>	
01/01/19 – 12/31/19	<ul style="list-style-type: none"> <li>• Inspect and maintain GRD</li> </ul>	Clean at least quarterly; Report annual cleanings	
01/01/20 – 12/31/20	<ul style="list-style-type: none"> <li>• Inspect and maintain GRD</li> </ul>	Clean at least quarterly; Report annual cleanings	
01/01/21 – 12/31/21	<ul style="list-style-type: none"> <li>• Inspect and maintain GRD</li> </ul>	Clean at least quarterly; Report annual cleanings	
01/01/22 – 12/31/22	<ul style="list-style-type: none"> <li>• Inspect and maintain GRD</li> </ul>	Clean at least quarterly; Report annual cleanings	
01/01/23 – 12/31/23	<ul style="list-style-type: none"> <li>• Inspect and maintain GRD</li> </ul>	Clean at least quarterly; Report annual cleanings	
<p><b>REFERENCES</b></p> <p>TPDES General Permit TXR040000. <i>Small MS4 General Permit, Part III, Section B.5(c)(6)(d): pg.49</i></p>			



## VEHICLE FUELING

**GH-4**

### DESCRIPTION

Vehicle fueling will continue to be performed at each of the existing fueling stations. These systems will remain in compliance with current TCEQ regulations. The City will ensure that each fueling area has signage to discourage topping off fuel tanks and all fueling areas will have spill containment kits nearby. Training on the location and use of spill containment kits will be addressed during annual pollution prevention Training (See GH-1).



**RESPONSIBLE AUTHORITY**  
**\*Vehicle Equipment Services**  
 Parks  
 Streets  
 Fire Department

### APPLICABILITY

Residents

Visitors

X Public Service Employees

Businesses

Commercial/  
Industrial

Construction

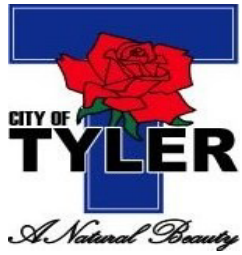

### RATIONALE FOR SELECTION

- Vehicle fueling is performed for City vehicles at several of the service centers. The primary fueling station is located at the Oakwood Municipal Complex and consists of a covered island with two (2) dispenser pumps. This facility has an automated monitor and control system with alarms and leak detection for the underground storage tanks.
- In addition to the Oakwood Municipal Complex fueling station, the Parks Department also maintains several smaller fuel tanks at the Rose Hill Cemetery, and local parks maintenance facilities.



YEAR	IMPLEMENTATION ACTIVITY	MEASURABLE GOAL
01/01/19 – 12/31/19	<ul style="list-style-type: none"> <li>• Maintain UST leak detection system</li> <li>• Monitor other ASTs for leaks</li> <li>• Maintain spill kits in each fueling area</li> </ul>	UST system report Confirm spill kits Maintain inspection logs
01/01/20 – 12/31/20	<ul style="list-style-type: none"> <li>• Maintain UST leak detection system</li> <li>• Monitor other ASTs for leaks</li> <li>• Maintain spill kits in each fueling area</li> </ul>	UST system report Confirm spill kits Maintain inspection logs
01/01/21 – 12/31/21	<ul style="list-style-type: none"> <li>• Maintain UST leak detection system</li> <li>• Monitor other ASTs for leaks</li> <li>• Maintain spill kits in each fueling area</li> </ul>	UST system report Confirm spill kits Maintain inspection logs
01/01/22 – 12/31/22	<ul style="list-style-type: none"> <li>• Maintain UST leak detection system</li> <li>• Monitor other ASTs for leaks</li> <li>• Maintain spill kits in each fueling area</li> </ul>	UST system report Confirm spill kits Maintain inspection logs
01/01/23 – 12/31/23	<ul style="list-style-type: none"> <li>• Maintain UST leak detection system</li> <li>• Monitor other ASTs for leaks</li> <li>• Maintain spill kits in each fueling area</li> </ul>	UST system report Confirm spill kits Maintain inspection logs

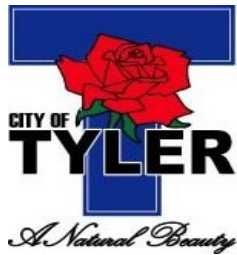
### REFERENCES

TPDES General Permit TXR040000. *Small MS4 General Permit, Part III, Section B.5(c)(6)(c): pg.49*

		<b>LANDSCAPE AND LAWN CARE</b>		<b>GH-5</b>
		<b>DESCRIPTION</b> <p>The City of Tyler maintains numerous landscaping facilities including the Rose Garden Center. The City has established a “No Bag It” program at City facilities to reduce lawn clipping disposal. The City uses private contractors to perform right of way maintenance.</p>		
<b>RESPONSIBLE AUTHORITY</b>  <b>*Parks &amp; Recreation</b>		<p>The Tyler Parks &amp; Recreation Department employs licensed applicators that apply fertilizers and pesticides on an as needed basis. The City’s applicators are licensed through the Texas Department of Agriculture (TDA) as Noncommercial Applicators for restricted-use or state-limited-use pesticides. Noncommercial applicators must renew annually and obtain five (5) CEU credits each year to remain licensed. The City will require their applicators to maintain their TDA licenses and attend annual training classes. The City will retain copies of applicator licenses for submittal with the annual reports.</p>		
<b>APPLICABILITY</b>  Residents  Visitors  X Public Service Employees  Businesses  Commercial/Industrial  Construction		<b>RATIONALE FOR SELECTION</b> <ul style="list-style-type: none"> <li>• As the “Rose Capitol of Texas”, landscaping is very important to the City of Tyler.</li> <li>• The Tyler Parks Department employs licensed applicators that apply chemicals on an as needed basis. Licensing of pesticide applicators ensures that the staff are knowledgeable in the proper application rates and methods for lawn care chemicals.</li> <li>• Annual training focuses on laws and regulations, integrated pest management and drift minimization to ensure proper use and prevent these chemicals from leaving the site of application.</li> </ul>		
<b>YEAR</b>	<b>IMPLEMENTATION ACTIVITY</b>		<b>MEASURABLE GOAL</b>	
01/01/19 – 12/31/19	<ul style="list-style-type: none"> <li>• Training and certification of Parks and Recreation staff</li> </ul>		At least 2 staff with Pesticide Applicator License	
01/01/20 – 12/31/20	<ul style="list-style-type: none"> <li>• Training and certification of Parks and Recreation staff</li> </ul>		At least 2 staff with Pesticide Applicator License	
01/01/21 – 12/31/21	<ul style="list-style-type: none"> <li>• Training and certification of Parks and Recreation staff</li> </ul>		At least 2 staff with Pesticide Applicator License	
01/01/22 – 12/31/22	<ul style="list-style-type: none"> <li>• Training and certification of Parks and Recreation staff</li> </ul>		At least 2 staff with Pesticide Applicator License	
01/01/23 – 12/31/23	<ul style="list-style-type: none"> <li>• Training and certification of Parks and Recreation staff</li> </ul>		At least 2 staff with Pesticide Applicator License	
<b>REFERENCES</b> TPDES General Permit TXR040000. <i>Small MS4 General Permit, Part III, Section B.5(b)(5)(a)(iv): pg. 46</i>				



	<b>ROADWAY CLEANING</b>	<b>GH-6</b>
<b>RESPONSIBLE AUTHORITY</b>  *Street Department	<p><b>DESCRIPTION</b></p> <p>The City of Tyler will continue to perform street sweeping and cleaning at the current frequency. Every mile of curbed City streets is swept on a 30 to 45 day cycle, and the downtown area is swept twice per week, which appears to be sufficient to maintain clean streets in Tyler. The current equipment and staff also appear to be sufficient to meet Tyler's needs. In addition, the City will sweep designated sections of the parking lot of the Oakwood Municipal Complex on a bi-weekly basis.</p> 	
<p><b>APPLICABILITY</b></p> <p>Residents</p> <p>Visitors</p> <p>X Public Service Employees</p> <p>Businesses</p> <p>Commercial/Industrial</p> <p>Construction</p>	<p><b>RATIONALE FOR SELECTION</b></p> <ul style="list-style-type: none"> <li>• The Street Department of the City of Tyler currently performs street cleaning utilizing Tymo regenerative street sweepers.</li> <li>• Several other City programs and procedures also help reduce the volume of debris or trash on the City streets and in waterways, including utilizing labor from the Andrews Center for litter control along right-of-ways, as well as 30 to 40 Adopt-a-Spot groups.</li> </ul>	
<b>YEAR</b>	<b>IMPLEMENTATION ACTIVITY</b>	<b>MEASURABLE GOAL</b>
01/01/19 – 12/31/19	<ul style="list-style-type: none"> <li>• Continue existing regenerative street sweeping</li> <li>• Track the number of lane miles swept</li> </ul>	10,000 lane miles
01/01/20 – 12/31/20	<ul style="list-style-type: none"> <li>• Continue existing regenerative street sweeping</li> <li>• Track the number of lane miles swept</li> </ul>	10,000 lane miles
01/01/21 – 12/31/21	<ul style="list-style-type: none"> <li>• Continue existing regenerative street sweeping</li> <li>• Track the number of lane miles swept</li> </ul>	10,000 lane miles
01/01/22 – 12/31/22	<ul style="list-style-type: none"> <li>• Continue existing regenerative street sweeping</li> <li>• Track the number of lane miles swept</li> </ul>	10,000 lane miles
01/01/23 – 12/31/23	<ul style="list-style-type: none"> <li>• Continue existing regenerative street sweeping</li> <li>• Track the number of lane miles swept</li> </ul>	10,000 lane miles
*Measurable goal prorated based on length of reporting year		
<p><b>REFERENCES</b></p> <p>TPDES General Permit TXR040000. <i>Small MS4 General Permit, Part III, Section B.5(c)(2): pg.47</i></p>		



## STORM DRAIN SYSTEM OPERATION AND MAINTENANCE

**GH-7**

### DESCRIPTION

The City of Tyler performs storm drain system cleaning on a routine basis and in response to complaints. The purpose of this practice is to reduce the amount of debris, trash and other pollutants in the storm drain system.



The Drainage Maintenance group in the Street Department performs storm drain system cleaning. The inlets are initially cleaned by hand to remove any lodged debris. This type of cleaning is limited to several feet into the inlet. If a clog still persists, then the Tyler Water Utilities vacuum truck is used to remove the remainder of the material. The City also maintains multiple StormCeptors™ on the West Loop.

The Water Department assists the Drainage Maintenance Department with the Vac-Truck cleaning. The City checks the depth of sediment buildup in the StormCeptor™. An extender allows the City to use the Vac Truck to remove accumulated sediment. Material removed from the StormCeptor™ or other BMPs is placed in a plastic-lined catch basin and allowed to air dry. The material is then sampled and sent to a laboratory to determine the appropriate disposal.

### RESPONSIBLE AUTHORITY

**\*Drainage Maintenance**  
Engineering Services  
Water Utilities  
GIS

### APPLICABILITY

- Residents
- Visitors
- X Public Service Employees
- Businesses
- Commercial/Industrial
- Construction

### RATIONALE FOR SELECTION

- The Drainage Maintenance group in the Street Department currently performs storm drain system cleaning on a routine basis and in response to complaints.
- Routine maintenance will reduce the amount of debris, trash and other pollutants in the storm drain system.

YEAR	IMPLEMENTATION ACTIVITY	MEASURABLE GOAL
01/01/19 – 12/31/19	<ul style="list-style-type: none"> <li>• Continue routine maintenance of StormCeptor</li> <li>• Continue routine maintenance of other structures</li> <li>• Maintain GIS map</li> </ul>	Maintain Logs Report Cleanings Maintain GIS map
01/01/20 – 12/31/20	<ul style="list-style-type: none"> <li>• Continue routine maintenance of StormCeptor</li> <li>• Continue routine maintenance of other structures</li> <li>• Maintain GIS map</li> </ul>	Maintain Logs Report Cleanings Maintain GIS map
01/01/21 – 12/31/21	<ul style="list-style-type: none"> <li>• Continue routine maintenance of StormCeptor</li> <li>• Continue routine maintenance of other structures</li> <li>• Maintain GIS map</li> </ul>	Maintain Logs Report Cleanings Maintain GIS map
01/01/22 – 12/31/22	<ul style="list-style-type: none"> <li>• Continue routine maintenance of StormCeptor</li> <li>• Continue routine maintenance of other structures</li> <li>• Maintain GIS map</li> </ul>	Maintain Logs Report Cleanings Maintain GIS map
01/01/23 – 12/31/23	<ul style="list-style-type: none"> <li>• Continue routine maintenance of StormCeptor</li> <li>• Continue routine maintenance of other structures</li> <li>• Maintain GIS map</li> </ul>	Maintain Logs Report Cleanings Maintain GIS map

### REFERENCES

TPDES General Permit TXR040000. *Small MS4 General Permit, Part III, Section B.5(c)(1)(a,b): pg.47*



## MS4 FACILITY SPECIFIC SOPS

**GH-8**

### DESCRIPTION

The MS4 program has a strong educational component for City employees utilizing the Storm Water Pollution Prevention Training (GH-1). The City has a Best Management Practice/Standard Operations (BMP/SO) Manual that includes BMPs applicable to each department or facility. This facility specific SOP manual is used during Pollution Prevention Training.



### RESPONSIBLE AUTHORITY

**\*All Departments**

### APPLICABILITY

Residents

Visitors

X

Public Service Employees

Businesses



Commercial/  
Industrial

Construction

### RATIONALE FOR SELECTION

- This BMP is a required component of the good housekeeping MCM for Level 3 MS4s.
- Facility assessments to identify high priority facilities are required for Level 3 MS4s.
- This BMP will incorporate stormwater controls for high priority facilities in the BMP/SO Manual.

YEAR	IMPLEMENTATION ACTIVITY	MEASURABLE GOAL
01/01/19 – 12/31/19	<ul style="list-style-type: none"> <li>• Review and update the BMP/SO Manuals as needed</li> <li>• Update training programs as necessary</li> </ul>	Maintain SOPs specific for each facility
01/01/20 – 12/31/20	<ul style="list-style-type: none"> <li>• Review and update the BMP/SO Manuals as needed</li> <li>• Update training programs as necessary</li> </ul>	Maintain SOPs specific for each facility
01/01/21 – 12/31/21	<ul style="list-style-type: none"> <li>• Review and update the BMP/SO Manuals as needed</li> <li>• Update training programs as necessary</li> </ul>	Maintain SOPs specific for each facility
01/01/22 – 12/31/22	<ul style="list-style-type: none"> <li>• Review and update the BMP/SO Manuals as needed</li> <li>• Update training programs as necessary</li> </ul>	Maintain SOPs specific for each facility
01/01/23 – 12/31/23	<ul style="list-style-type: none"> <li>• Review and update the BMP/SO Manuals as needed</li> <li>• Update training programs as necessary</li> </ul>	Maintain SOPs specific for each facility
<b>REFERENCES</b> TPDES General Permit TXR040000. <i>Small MS4 General Permit, Part III, Section B.5(c)(5): pg.48</i>		

		<b>AIRPORT OPERATIONS</b>	<b>GH-9</b>
		<p><b>DESCRIPTION</b></p> <p>With the expansion of the regulated UA based on the 2010 census, the City of Tyler Regional Airport (Pounds Regional Airport) is now located in the regulated UA. This BMP was added to include stormwater controls implemented at the Airport. The Airport has an approved Storm Water Pollution Prevention Plan (SWP3) under the Multi-Sector General Permit (TXR050000). A SWP3 is required for any Air Transportation Sector. The Federal Aviation Administration (FAA) provides supplemental guidance on the preparation of airport oriented SWP3s through Advisory Circular 150/5320-15A. Airport tenants and Fleet Based Operators (FBOs) also have SWP3s that cover their operations. The Airport has 13 outfalls that are monitored under their industrial SWPPP.</p> 	
<p><b>RESPONSIBLE AUTHORITY</b></p> <p style="text-align: center;">*Airport</p>		<p>This BMP involves the maintenance of a current SWP3 and compliance with SWP3 provisions. The City will also ensure that all FBOs are in compliance with their SWP3s.</p>	
<p><b>APPLICABILITY</b></p> <p>Residents</p> <p>Visitors</p> <p>X Public Service Employees</p> <p>Businesses</p> <p>Commercial/Industrial</p> <p>Construction</p>		<p><b>RATIONALE FOR SELECTION</b></p> <ul style="list-style-type: none"> <li>• Tyler's Pounds Regional Airport is now located in the regulated UA</li> </ul>	
YEAR	IMPLEMENTATION ACTIVITY	MEASURABLE GOAL	
01/01/19 – 12/31/19	<ul style="list-style-type: none"> <li>• Maintain SWP3 and ensure FBOs are in compliance with their SWP3s</li> </ul>	Report Inspection Dates Maintain maps	
01/01/20 – 12/31/20	<ul style="list-style-type: none"> <li>• Maintain SWP3 and ensure FBOs are in compliance with their SWP3s</li> </ul>	Report Inspection Dates Maintain maps	
01/01/21 – 12/31/21	<ul style="list-style-type: none"> <li>• Maintain SWP3 and ensure FBOs are in compliance with their SWP3s</li> </ul>	Report Inspection Dates Maintain maps	
01/01/22 – 12/31/22	<ul style="list-style-type: none"> <li>• Maintain SWP3 and ensure FBOs are in compliance with their SWP3s</li> </ul>	Report Inspection Dates Maintain maps	
01/01/23 – 12/31/23	<ul style="list-style-type: none"> <li>• Maintain SWP3 and ensure FBOs are in compliance with their SWP3s</li> </ul>	Report Inspection Dates Maintain maps	
<p><b>REFERENCES</b></p> <p>TPDES General Permit TXR040000. <i>Small MS4 General Permit, Part III, Section B.5(c)(6): pg.48-49</i></p>			





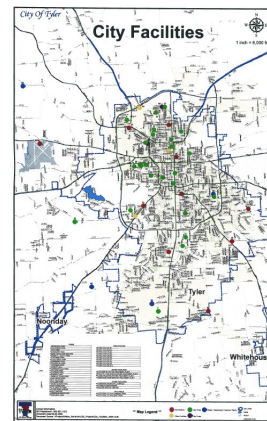
## CITY FACILITIES AND CONTROL INVENTORY

GH-10

### DESCRIPTION

The Small MS4 General Permit requires that all regulated MS4s develop and maintain an inventory of facilities and stormwater controls that it owns and operates within the regulated area of the small MS4. The inventory should include all applicable permit numbers, registration numbers, and authorizations for each facility or controls. The inventory must be available for review by TCEQ and must include (if applicable):

- Equipment storage and maintenance facilities;
- Fuel storage facilities;
- Materials storage yards;
- Pesticide storage facilities;
- Buildings, including schools, libraries, police stations, fire stations, and office buildings;
- Parking lots;
- Swimming pools;
- Public works yards;
- Recycling facilities;
- Solid waste handling and transfer facilities;
- Street repair and maintenance sites;
- Vehicle storage and maintenance yards; and
- Structural stormwater controls.



### RESPONSIBLE AUTHORITY

\*Water Utilities  
GIS

### APPLICABILITY

- Residents
- Visitors
- X Public Service Employees
- Businesses
- Commercial/Industrial
- Construction

Facility assessments must be conducted once per permit term to determine the potential to discharge pollutants. Based on these assessments, the City must identify high-priority facilities. High priority facilities must include, at a minimum, the City's maintenance yards, fuel storage locations, and any other facility at which chemicals or other materials have a high potential to be discharged in stormwater. Many of the high priority facilities in the City are governed by a MSGP SWP3 or SPCC plan, which requires annual inspections as part of those permit requirements. The City may use those inspections as part of the facility assessments and implement facility assessment protocols for other facilities during this permit term.

### RATIONALE FOR SELECTION



- Required by the Small MS4 General Permit
- Facility assessments are required for Level 3 MS4s

YEAR	IMPLEMENTATION ACTIVITY	MEASURABLE GOAL
01/01/19 – 12/31/19	<ul style="list-style-type: none"> <li>• Conduct facility assessments of 20% of the City's facilities</li> <li>• Identify high priority facility updates</li> <li>• Update GIS map annually</li> </ul>	Report assessment results Maintain GIS map
01/01/20 – 12/31/20	<ul style="list-style-type: none"> <li>• Conduct facility assessments of 20% of the City's facilities</li> <li>• Update GIS map annually</li> </ul>	Report assessment results Maintain GIS map
01/01/21 – 12/31/21	<ul style="list-style-type: none"> <li>• Conduct facility assessments of 20% of the City's facilities</li> <li>• Update GIS map annually</li> </ul>	Report assessment results Maintain GIS map
01/01/22 – 12/31/22	<ul style="list-style-type: none"> <li>• Conduct facility assessments of 20% of the City's facilities</li> <li>• Update GIS map annually</li> </ul>	Report assessment results Maintain GIS map
01/01/23 – 12/31/23	<ul style="list-style-type: none"> <li>• Conduct facility assessments of 20% of the City's facilities</li> <li>• Update GIS map annually</li> </ul>	Report assessment results Maintain GIS map

### REFERENCES

TPDES General Permit TXR040000. *Small MS4 General Permit, Part III, Section B.5(b)(1): pg.45*

		<b>MUNICIPAL OPERATION AND MAINTENANCE ACTIVITIES</b>		<b>GH-11</b>
		<p><b>DESCRIPTION</b></p> <p>The Small MS4 General Permit requires that all regulated MS4s evaluate operation and maintenance (O&amp;M) activities for their potential to discharge pollutants in stormwater, including the following:</p> <ul style="list-style-type: none"> <li>• Road and parking lot maintenance may include such areas as pothole repair, pavement marking, sealing, and re-paving;</li> <li>• Bridge maintenance may include such areas as re-chipping, grinding, and saw cutting;</li> <li>• Cold weather operations, including plowing, sanding, and application of deicing and anti-icing compounds and maintenance of snow disposal areas; and</li> <li>• Right-of-way maintenance, including mowing, herbicide and pesticide application, and planting vegetation.</li> </ul> <p>The City will evaluate these O&amp;M activities and identify pollutants of concern that could be discharged from the O&amp;M activities and develop and implement specific pollution prevention measures to reduce the identified pollutants. The pollution prevention (PP) measures and/or structural controls implemented will be inspected on a regular basis to maintain the effectiveness of the BMP.</p> <p>The airport utilizes deicing as part of their cold weather procedures as dictated by FAA regulations. Airport operations are covered under a separate TPDES MSGP.</p>		
<b>RESPONSIBLE AUTHORITY</b>				
*Streets Airport				
<b>APPLICABILITY</b>				
Residents				
Visitors				
X Public Service Employees				
Businesses				
Commercial/ Industrial				
Construction		<p><b>RATIONALE FOR SELECTION</b></p> <ul style="list-style-type: none"> <li>• Required by the Small MS4 General Permit</li> </ul>		
<b>YEAR</b>	<b>IMPLEMENTATION ACTIVITY</b>		<b>MEASURABLE GOAL</b>	
01/01/19 – 12/31/19	<ul style="list-style-type: none"> <li>• Review O&amp;M activities for potential to discharge pollutants</li> <li>• Identify pollutants of concern</li> <li>• Identify PP measures and/or structural control updates</li> </ul>		Assessment results List of pollutants of concern	
01/01/20 – 12/31/20	<ul style="list-style-type: none"> <li>• Visual inspection of PP measures and/or structural controls</li> <li>• Maintain structural controls, as necessary</li> <li>• Implement PP measures and/or structural control updates</li> </ul>		List of PP measures and/or structural controls	
01/01/21 – 12/31/21	<ul style="list-style-type: none"> <li>• Visual inspection of PP measures and/or structural controls</li> <li>• Maintain structural controls, as necessary</li> </ul>		Inspection log Maintenance log	
01/01/22 – 12/31/22	<ul style="list-style-type: none"> <li>• Visual inspection of PP measures and/or structural controls</li> <li>• Maintain structural controls, as necessary</li> </ul>		Inspection log Maintenance log	
01/01/23 – 12/31/23	<ul style="list-style-type: none"> <li>• Visual inspection of PP measures and/or structural controls</li> <li>• Maintain structural controls, as necessary</li> </ul>		Inspection log Maintenance log	
<b>REFERENCES</b>				
TPDES General Permit TXR040000. <i>Small MS4 General Permit, Part III, Section B.5(b)(5): pg.46</i>				

<b>CONTRACTOR OVERSIGHT</b>		<b>GH-12</b>
		<p><b>DESCRIPTION</b></p> <p>The Small MS4 General Permit requires that any contractors that are hired by the City to perform maintenance activities on City-owned facilities must be contractually obligated to comply with all of the stormwater control measures, good housekeeping practices, and facility specific SOPs. The City is also required to provide oversight of contractor activities to ensure they are utilizing appropriate measures and SOPs. Written oversight procedures must be developed by the end of the permit term. The oversight procedures must be maintained on site and made available for review by TCEQ.</p> 
<p><b>RESPONSIBLE AUTHORITY</b></p> <p><b>*Streets</b></p>		
<p><b>APPLICABILITY</b></p> <p>Residents</p> <p>Visitors</p> <p>X Public Service Employees</p> <p>Businesses</p> <p>Commercial/Industrial</p> <p>Construction</p>		<p><b>RATIONALE FOR SELECTION</b></p> <ul style="list-style-type: none"> <li>Required by the Small MS4 General Permit</li> </ul>
<b>YEAR</b>	<b>IMPLEMENTATION ACTIVITY</b>	<b>MEASURABLE GOAL</b>
01/01/19 – 12/31/19	<ul style="list-style-type: none"> <li>Implement oversight procedures</li> </ul>	Report number of contracts issued
01/01/20 – 12/31/20	<ul style="list-style-type: none"> <li>Implement oversight procedures</li> </ul>	Report number of contracts issued
01/01/21 – 12/31/21	<ul style="list-style-type: none"> <li>Implement oversight procedures</li> </ul>	Report number of contracts issued
01/01/22 – 12/31/22	<ul style="list-style-type: none"> <li>Implement oversight procedures</li> </ul>	Report number of contracts issued
01/01/23 – 12/31/23	<ul style="list-style-type: none"> <li>Implement oversight procedures</li> </ul>	Report number of contracts issued
<p><b>REFERENCES</b></p> <p>TPDES General Permit TXR040000. <i>Small MS4 General Permit, Part III, Section B.5(b)(4): pg.46</i></p>		

#### **5.6. MCM #6 – Industrial Stormwater Sources**

This MCM is only applicable to Level 4 MS4s. The City of Tyler is a Level 3 MS4, as its population, per the 2010 Census, was 96,900. Thus, Tyler's population is below the 100,000 threshold for a Level 4 MS4.

#### **5.7. MCM #7 – Authorization for Municipal Construction Activities**

The City of Tyler has chosen to implement the optional 7th (seventh) MCM for authorization of construction activities within the regulated urbanized area and will implement a BMP for this MCM.

	<b>MASTER CONSTRUCTION SWP3</b>		<b>7<sup>th</sup> MCM</b>
<b>RESPONSIBLE AUTHORITY</b>  *Streets	<p><b>DESCRIPTION</b></p> <p>The City developed and implemented a master construction SWP3 that will cover all construction activities performed by the Streets Department which utilize the City-owned concrete batch plant within the City's urbanized area. The master SWP3 will be updated for each construction site and will consider local conditions such as weather, soils, and other site-specific considerations. The City will submit an NOC to TCEQ for the 7th MCM of the MS4 permit to allow City construction activities to be permitted under the MS4 permit rather than the Construction General Permit (CGP) for activities that require the use of the concrete batch plant. Any construction activities that do not require the use of the concrete batch plant will be permitted under the CGP, TXR150000, if the disturbed area exceeds (1) acre in size.</p> <div data-bbox="1214 315 1445 588" style="border: 1px solid black; padding: 5px;"> <p style="font-size: small;">Storm Water Pollution Prevention Plan for Construction Activities</p>  </div> <p>Streets Department road repair projects are typically less than one acre in size and are completed in a short period of time. The quantities of concrete required for final roadway surfacing associated with these projects are small, generally less than a commercial minimum load of ready mix. The City will operate a small, dry delivery system ready mix concrete batch plant located at the City's Street Department operating area.</p> <p>This MCM will only address construction activities performed by City crews supervised by the City Streets Department. Contracted construction activities will be permitted under the CGP, TXR150000 by the contractor, if the disturbed area exceeds (1) acre in size. The City will ensure that the contractors have a separate authorization for storm water discharges through enforcement of the Erosion Control Ordinance (BMP C-1) and Contractor Oversight (BMP GH-12).</p>		
<b>APPLICABILITY</b>	<p><b>RATIONALE FOR SELECTION</b></p> <ul style="list-style-type: none"> <li>Requested by Streets Department to permit the concrete batch plant.</li> </ul>		
<b>YEAR</b>	<b>IMPLEMENTATION ACTIVITY</b>	<b>MEASURABLE GOAL</b>	
01/01/19 – 12/31/19	<ul style="list-style-type: none"> <li>Maintain and update construction SWP3 and required BMPs for construction activities making use of the concrete batch plant</li> </ul>	Maintain and update SWP3 Report number of construction sites	
01/01/20 – 12/31/20	<ul style="list-style-type: none"> <li>Maintain and update construction SWP3 and required BMPs for construction activities making use of the concrete batch plant</li> </ul>	Maintain and update SWP3 Report number of construction sites	
01/01/21 – 12/31/21	<ul style="list-style-type: none"> <li>Maintain and update construction SWP3 and required BMPs for construction activities making use of the concrete batch plant</li> </ul>	Maintain and update SWP3 Report number of construction sites	
01/01/22 – 12/31/22	<ul style="list-style-type: none"> <li>Maintain and update construction SWP3 and required BMPs for construction activities making use of the concrete batch plant</li> </ul>	Maintain and update SWP3 Report number of construction sites	
01/01/23 – 12/31/23	<ul style="list-style-type: none"> <li>Maintain and update construction SWP3 and required BMPs for construction activities making use of the concrete batch plant</li> </ul>	Maintain and update SWP3 Report number of construction sites	
<p><b>REFERENCES</b></p> <p>TPDES General Permit TXR040000. <i>Small MS4 General Permit, Part V, pg.54</i></p>			

## **Appendix A**

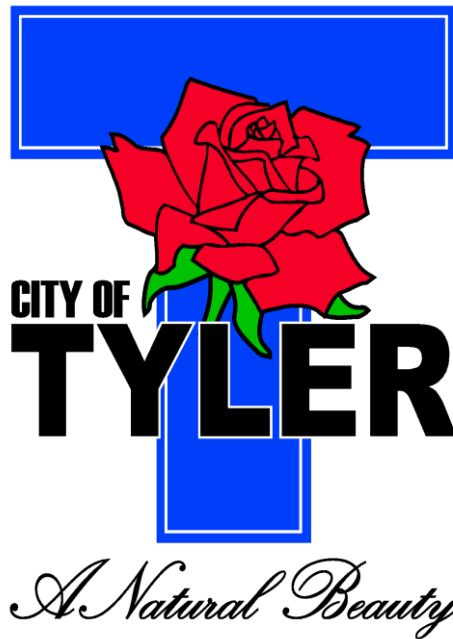
### **City of Tyler Items**

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### **City Council Agenda Interlocal Agreement Signatory Authority**

# CITY COUNCIL AGENDA

**Wednesday, July 10, 2019  
9:00 a.m.**



## CITY COUNCIL

**Martin Heines, Mayor**

**Linda Sellers, District 1**

**Broderick McGee, District 2**

**Shirley McKellar, District 3**

**Don Warren, District 4**

**Bob Westbrook, District 5**

**Criss Sudduth, District 6**

**Edward Broussard, City Manager**





# CITY COUNCIL MEETING AGENDA

## CITY COUNCIL CHAMBERS - CITY HALL

212 North Bonner

Tyler, Texas 75702

Wednesday, July 10, 2019

9:00 a.m.

Internet website <http://www.cityoftyler.org> and Cable Access Channel 3

Please call (903) 531-1250 if you need assistance with interpretation or translation for this City meeting.

*Si usted necesita ayuda con la interpretación o traducción de cualquier material en este sitio o en una reunión pública de la Ciudad de Tyler por favor llame al (903) 531-1250.*

### AMERICANS WITH DISABILITIES ACT NOTICE

The City of Tyler wants to ensure that City Council Meetings are accessible to persons with disabilities. If any individual needs special assistance or accommodations in order to attend a City Council meeting, please contact the City Manager's Office at 903.531.1250, in advance so accommodations can be made.

### COURTESY RULES

Thank you for your presence. The City Council appreciates your interest in Tyler City Government. To ensure fairness and orderly meetings, the Council has adopted rules of courtesy which apply to all members of the Council, Administrative Staff, News Media, Citizens and Visitors. If you wish to address the Council, obtain a speaker card from the receptionist's desk outside the Council Chambers, complete the information requested on the card, and deliver to the City Clerk before the meeting or as soon as you can. Speakers will be heard as the individual item(s) in which they have registered an interest come before the Council. Your remarks will be limited in duration depending on the number of people wanting to speak on a particular item. Delay or interruption of the proceedings will not be tolerated.





## **INVOCATION**

## **PLEDGE OF ALLEGIANCE**

## **MINUTES**

Request that the City Council consider approval of the Minutes of the Regular Meeting of the City Council of the City of Tyler, Texas on May 8, 2019.

Request that the City Council consider approval of the Minutes of the Special Called Meeting of the City Council of the City of Tyler, Texas on May 15, 2019.

## **ELECTIONS**

- E-1** Request that the City Council consider canvassing the returns of the City Council Runoff Election held June 29, 2019, for District No. 3, and adopting an ordinance declaring the results.
- E-2** Request that a certificate of election and the Oath of Office be administered to the newly elected City Councilmember for District No 3.

## **ZONING**

- Z-1** PD19-012 WEST CUMBERLAND LLC (114.86 ACRES OF LAND) Request that the City Council consider approving a zone change from “AG”, Agricultural District and “PCD”, Planned Commercial District to “R-1B”, Single-Family Residential District, “PMF”, Planned Multifamily District with a written narrative, “RPO”, Restricted Professional Office District, “C-1”, Light Commercial District, and “PMXD-1”, Planned Mixed Use District with a written narrative.

## **RESOLUTION**

- R-1** Request that the City Council consider approval of a resolution reserving the right to reimburse expenditures with proceeds of future debt. Said expenditures, in the amount of \$947,824, will be incurred upon the execution of the contract with Quadex Lining Systems to perform the previously approved (Item M-3, 06/26/19) Western Seal manhole remediation package for the Consent Decree.
- R-2** Request that the City Council consider authorizing the City Manager to execute a contract with Vortex Services in the amount of \$321,065.50 for the Cured-In-Place-Pipe Package, BOND-CD-001-GM04 BuyBoard rehabilitation project and to approve a resolution reserving the right to reimburse expenditures with proceeds of future debt.

- R-3** Request that the City Council authorize the City Manager to sign the application for the 2019 Better Utilizing Investments to Leverage Development “BUILD” Grant and approve a Resolution of Support to enhance South Broadway infrastructure and streetscaping from Front Street to Erwin Street.

## **MISCELLANEOUS**

- M-1** Request that the City Council consider authorizing the City Manager to execute a Notice of Intent and submit the revised Tyler Texas Pollutant Discharge and Elimination System Phase II MS4 Stormwater Management Plan to the Texas Commission on Environmental Quality.

- M-2** Request that the City Council consider authorizing the City Manager to execute an Interlocal Agreement with Smith County related to Smith County’s Stormwater Management Plan.

- M-3** Request that the City Council consider authorizing the City Manager to execute a contract with Baker & Company Construction for the construction of the Vehicle Services Parking Lot Reconstruction project in the amount of \$211,112.90.



- M-4** Request that the City Council consider authorizing the City Manager to execute a contract with C.E. Marler and Associates, Inc. for the construction of the Community Development Block Grant (CDBG) Sidewalk Improvements near Austin Elementary project in the amount of \$330,889.75.

- M-5** Request that the City Council consider ratifying staff action authorizing reimbursements to Dixon Services Inc. for payments to property owners for easements and right-of-way for the Cambridge Road project in the amount of \$69,377.82.

- M-6** Request that the City Council consider authorizing the City Manager to execute a contract with Benchmark Design Group for the design, construction management, and construction inspection of the Cloverdale Drainage Improvements project in the amount of \$440,500.

- M-7** Request that the City Council consider authorizing the City Manager to sign an Architectural and Design Agreement from The C.T. Brannon Corporation for an amount not to exceed \$62,900 to develop architectural and engineering plans for Fun Forest Park pool and splash pad repurpose project and Woldert Park splash pad repurpose project. This includes an amount not to exceed \$14,000 for the finalization of construction administration of both parks whose construction was already approved under bid 19-019; further request the City Council also rescind funding authorized for Buy Board vendor Whirlix Design Inc., in the amount of \$850,991.

- M-8** Request that the City Council consider approval of an Interlocal Agreement between the City of Tyler and the Smith County Emergency Services District (ESD #2) for fire and first responder services.

- M-9** Request that the City Council consider ratifying expenditures in the amount of \$435,221.67 for all work performed on the emergency repair and replacement of approximately 600 feet of 42-inch sanitary sewer main and associated manholes located at the 1600 block of WNW Loop 323.

## **BOARD APPOINTMENTS**

- B-1** Request that the City Council consider approving nominations to the Tyler One Half Cent Sales Tax Corporation Board from District Nos. 3 and 6.

## **CONSENT**

**(These items are considered to be routine or have been previously discussed, and can be approved in one motion, unless a Council Member asks for separate consideration of an item.)**

- C-A-1** Request that the City Council consider authorizing the application for and acceptance of a Texas Department of Transportation (TxDOT) Grant for Urban State Funds in the amount of \$417,234.
- C-A-2** Request that the City Council consider authorizing the City Manager to execute a Personal Services Contract with Charles H. Samson, III for design and project management of City of Tyler capital improvement projects in the amount of \$50,000.
- C-A-3** Request that the City Council consider ratifying expenditures in the amount of \$83,801.31 for the rental of emergency pumps to provide sanitary sewer flow during the repairs to the 42-inch sanitary sewer main and associated manholes located at the 1600 block of WNW Loop 323.
- C-A-4** Request that the City Council consider ratifying expenditures in the amount of \$45,675.63 for all work performed on the emergency repair of a 54-inch sanitary sewer main located just north of the 6100 block of State Highway 110 North.

## **CITY MANAGER'S REPORT**

## **ADJOURNMENT**

STATE OF TEXAS	§	<b>INTERLOCAL COOPERATION AGREEMENT</b>
	§	<b>FOR</b>
	§	<b>STORMWATER MANAGEMENT BETWEEN</b>
COUNTY OF SMITH	§	<b>THE CITY OF TYLER AND SMITH COUNTY</b>

**THIS INTERLOCAL COOPERATION AGREEMENT** (the “Agreement”) is made and entered into by and between the City of Tyler (“Tyler”), a municipal corporation of Smith County, Texas, by and through its City Manager pursuant to City Council authority at a regularly scheduled City Council meeting on the 10<sup>th</sup> day of July, 2019, and Smith County, Texas (“Smith County”), a political subdivision of the State, acting by and through a County Judge pursuant to Commissioners Court authority at a regularly scheduled Commissioners Court meeting on the 2<sup>nd</sup> day of July, 2019.

**WHEREAS**, the Interlocal Cooperation Act (the “Act”), codified as Chapter 791, Texas Government Code, authorizes any local government to contract with one or more local governments to perform governmental functions and services under the terms of the Act; and

**WHEREAS**, Texas Administrative Code Title 30, Section 281.25, as adopted by the Texas Commission on Environmental Quality (“TCEQ”) and applicable federal regulations require both Tyler and Smith County to obtain stormwater permit coverage for their municipal separate storm sewer systems (“MS4s”) because each is identified as a Regulated Small MS4; and

**WHEREAS**, TCEQ regulations require both Tyler and Smith County to take certain actions to implement the requirements of the State’s Texas Pollutant Discharge Elimination System (“TPDES”) General Permit for Regulated Small MS4s, TPDES General Permit No. TXR040000; and

**WHEREAS**, State law allows Regulated Small MS4s such as Tyler and Smith County to work together to implement provisions of the TPDES General Permit for Regulated Small MS4s; and

**WHEREAS**, Tyler and Smith County believe that by working together to implement the provisions of the TPDES General Permit for Regulated Small MS4s they can combine their resources to achieve lower costs, greater efficiency, and higher effectiveness in the programs; and

**WHEREAS**, Tyler and Smith County desire to enter into this Interlocal Cooperation Agreement pursuant to the provisions of Texas Government Code Chapter 791, the Act, and other applicable statutes, contracts pursuant thereto, and Charter provisions; and

**WHEREAS**, this Agreement will increase the efficiency and effectiveness of stormwater management in both Tyler and Smith County; and

**WHEREAS**, this Agreement will mutually benefit the parties and serve to protect the public interest and the public health, safety, welfare, and the environment.

**NOW THEREFORE**, for and in consideration of the mutual promises and obligations hereinafter stated, and for good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, Tyler and Smith County agree as follows:

### **I. EFFECTIVE DATE**

The effective date of this Agreement shall be the 10<sup>th</sup> day of July 2019.

### **II. TERM**

The initial term of this Agreement shall be for a period of five (5) years from the effective date of this Agreement. Thereafter, upon mutual agreement of the parties hereto, this Agreement may be renewed for two additional five (5) year terms unless terminated earlier by either party as set forth below.

### **III. DUTIES OF PARTIES**

The following outlines the duties of the parties to implement the requirements of the TPDES General Permit for Regulated Small MS4s and specifically to address the five (5) applicable Minimum Control Measures (“MCMs” identified in the TPDES General Permit for Regulated Small MS4s. The various Best Management Practices (“BMPs”) are referenced with respect to Smith County’s Stormwater Management Program (“SWMP”), and the related BMPs in Tyler’s SWMP are provided for reference.

#### **A. PUBLIC EDUCATION, OUTREACH, AND INVOLVEMENT.**

1. Smith County BMP PE/PI-1 – Public Service Announcements/Social Media: In order to address the Public Education and Outreach MCM, Tyler plans to utilize stormwater public service announcements. (*See* Tyler BMP PE/PI-1.) Because the public service announcements are broadcast throughout Smith County, Tyler shall recognize Smith County’s role in addressing stormwater issues in all stormwater public service announcements broadcast each year during the term of this Agreement.
2. Smith County BMP PE/PI-2 – Stormwater Web Site: In order to address the Public Education and Outreach MCM, Tyler plans to maintain its stormwater web site. (*See* Tyler BMP PE/PI-3.) Tyler shall work with Smith County to develop one (1) static stormwater web page for the Smith County web site. The stormwater web page developed for Smith County shall have a link to Tyler’s stormwater web site. Tyler’s stormwater website shall have a link to the Smith County website within 30

days of notice from Smith County that said Smith County stormwater website is available.

3. **Smith County BMP PE/PI-4 – Stormwater Brochures:** In order to address the Public Education and Outreach MCM, Tyler will continue to develop new brochures on a “as need basis” and maintain existing brochures addressing such topics as pesticides and fertilizer use, household hazardous waste, pet waste, and Tyler’s recycling program. (See Tyler BMP PE/PI-2.) Tyler shall include Smith County’s logo on applicable stormwater brochures printed each year during the term of this Agreement as requested by Smith County. Tyler will provide to Smith County the number of brochures requested by Smith County during throughout the term of the TPDES General Permit for Regulated Small MS4s. Within 30 days after Tyler submits an invoice to Smith County for the purchase of such brochures, Smith County shall reimburse Tyler for the printing costs of those brochures provided to Smith County. Smith County shall make the brochures available throughout the urbanized areas of Smith County outside Tyler’s corporate limits.

#### **B. ILLICIT DISCHARGE DETECTION AND ELIMINATION.**

1. **Smith County BMP ID-1 – Storm Drain System Outfall Mapping:** In order to address the Illicit Discharge Detection and Elimination MCM, Tyler is maintaining and improving a city-wide GIS storm drain system outfall map of those locations within Tyler’s corporate limits. (See Tyler BMP ID-1.) Smith County will develop and maintain a GIS storm drain system outfall map for those portions of the urbanized area outside of Tyler’s corporate limits. Information in each of Tyler and Smith County’s said GIS storm drain system outfall maps shall be made available to the other party.
2. **Smith County BMP ID-3 – Illicit Discharge Investigations:** In order to address the Illicit Discharge Detection and Elimination MCM, Tyler plans to conduct illicit discharge investigations throughout the storm sewer system on an as needed basis. (See Tyler BMP ID-3.) These investigations can utilize fluorescent dye testing, smoke testing, and/or remote TV camera inspection to track down illicit connections to the MS4. Smith County shall work with Tyler to coordinate such illicit discharge investigations within the urbanized area outside of Tyler’s corporate limits when such investigations are necessary. Smith County shall reimburse Tyler on a case-by-case basis for illicit discharge investigations requested by Smith County and performed by Tyler in the urbanized area outside Tyler’s corporate limits. Smith County shall reimburse Tyler for the costs associated with the requested investigations within 30 days after Tyler submits an invoice to Smith County for such investigations.
3. **Smith County BMP ID-6 – Reduce Failing Septic Systems:** In order to address the Illicit Discharge Detection and Elimination MCM, Smith County plans to continue its permitting and regulation of septic systems through the TCEQ On-site Sewage Facility Program (“OSSF”). To enhance the effectiveness of this program, Smith

County has developed a brochure, which will address proper septic system care, for septic system pumping companies to distribute to septic system owners. Smith County shall include Tyler's logo on all septic tank brochures printed each year during the term of this Agreement. Tyler shall reimburse Smith County for the printing costs of brochures provided to Tyler during the term of the TPDES General Permit for Regulated Small MS4s within 30 days after Smith County submits an invoice to Tyler for such brochures. Smith County shall make the brochures available to septic system pumping companies for distribution to the owners of septic systems within Tyler's corporate limits.

4. **Smith County BMP ID-7 – Smith County Cleanup Day:** In order to address the Illicit Discharge Detection and Elimination MCM, Smith County plans to conduct a Smith County Cleanup Day. Smith County shall hold a Smith County Cleanup Day on an annual basis during the term of the TPDES General Permit for Regulated Small MS4s. Tyler shall allow Smith County to deliver acceptable materials collected as part of Smith County Cleanup Day to the Allied Greenwood Farm landfill for disposal, with Smith County paying for the cost as established by the City at the time of service.

#### C. CONSTRUCTION SITE STORMWATER RUNOFF CONTROL

1. **Smith County BMP C-1 – Track Construction Site Notices:** In order to address the Construction Site Stormwater Runoff Control MCM, Tyler plans to review plans for construction projects within Tyler's corporate limits and ETJ as allowed by State law and City ordinances. (See Tyler BMP C-2.) Smith County will track all construction site notices including Notices of Intents, Notices of Change and Notices of Termination that it receives as the MS4 operator and share that information with the City of Tyler.
2. **Smith County BMP C-2 – Construction Inspection:** In order to address the Construction Site Stormwater Runoff Control MCM, Tyler plans to continue to conduct construction inspections of residential and commercial sites within Tyler's corporate limits and some areas of its ETJ as allowed by State law and City ordinances. (See Tyler BMP C-3.) Smith County will notify the City of Tyler of any citizen complaints that it receives through the County's Web-Based Incident Reporting System (Smith County BMP ID-5) regarding construction sites located in the City's ETJ. If allowed under State and local law, the City of Tyler will perform construction inspections of those sites located in the City's ETJ and report inspection results to Smith County.

#### D. POST-CONSTRUCTION STORMWATER MANAGEMENT IN NEW DEVELOPMENT AND REDEVELOPMENT

1. **Smith County BMP PC-1 – Long Term Operation and Maintenance of BMPs:** In order to address the Post-Construction Stormwater Management in New



Development and Redevelopment MCM, Tyler plans to conduct inspections to determine the effectiveness of post-construction BMPs. (See Tyler BMP PC-3.) Tyler shall conduct these inspections within its ETJ inside the urbanized area at Smith County's request. Smith County shall reimburse Tyler on a case-by-case basis for those inspections within Tyler's ETJ requested by Smith County and performed by the City within 30 days after the City submits an invoice to Smith County for the costs associated with such inspection. Tyler shall notify the Smith County Road and Bridge Department if conditions are observed that require maintenance.

**E. POLLUTION PREVENTION/GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS.**

1. Smith County BMP GH-8 – Storm Drain System Cleaning. In order to address the Pollution Prevention/Good Housekeeping for Municipal Operations MCM, Smith County plans to continue to perform maintenance on drains at the Smith County Base Facility that discharge into the adjacent creek. The drains shall be cleaned on an as needed basis. Depending on the extent of the maintenance required, Smith County may request assistance from the City of Tyler. Smith County may coordinate with the City of Tyler's Streets Department to assist them in cleaning/maintaining drains with the City's vacuum truck. Smith County shall reimburse Tyler for each use of the vacuum truck at a price to be negotiated at the time of each request.

**IV. PAYMENT/FUNDING**

Costs payable by Tyler and Smith County pursuant to this Agreement are outlined above, and will be based on actual costs with documentation of time and materials as described in invoices provided by Tyler for reimbursement requests. Smith County and Tyler shall meet each year prior to the budgeting process to finalize the estimate of BMP activities for the upcoming fiscal year. This provision shall supersede any provision in conflict within this agreement.

**V. MISCELLANEOUS PROVISIONS**

- A. NOTICE.** Any notice given hereunder must be in writing, and may be effective by personal delivery, facsimile transmission, or by certified mail, return receipt requested, at the address of the respective parties indicated below:

City of Tyler:                      City Manager  
    City of Tyler  
    P.O. Box 2039  
    Tyler, Texas 75710  
    (903) 531-1250 (Telephone)  
    (903) 531-1166 (Facsimile)

Smith County:           County Judge  
                              Smith County Commissioners Court  
                              200 E. Ferguson, Suite 100  
                              Tyler, Texas 75702  
                              (903) 590-4600 (Telephone)  
                              (903) 590-4615 (Facsimile)

These addresses for notice may be changed by either party by delivering written notice within ten days of the change, in accordance with the requirements of this paragraph, to the other party.

- B. **CURRENT REVENUES.** Tyler and Smith County will pay for services rendered pursuant to this Agreement from current revenues.
- C. **RENEWAL.** The renewal of this Agreement shall be contingent upon the availability of current revenue funds and annual budget allocations and appropriations by the parties.
- D. **HOLD HARMLESS.** Each party to this Agreement does hereby agree to waive all claims against, release and hold the other party and its respective officials, officers, agents, and employees, both in their official capacity and individual capacity, harmless from and against any and all liability, claims, suits, demands, losses, damages (including court costs and attorneys' fees) or causes of action which may arise by reason of injury to or death of any person or for loss of, damage to, or loss of use of any property arising out of or in connection with this Agreement.
- E. **MUTUAL COOPERATION.** Tyler and Smith County agree to cooperate with each other, in good faith, at all times during the term hereof in order to effectuate the purpose and intent of this Agreement.
- F. **AUTHORITY TO CONTRACT.** Each party acknowledges and represents that this Agreement has been duly authorized by their respective governing body.
- G. **NO PARTNERSHIP.** Nothing contained herein shall be deemed or construed by the parties hereto or by any third party, as creating the relationship of employer-employee, principal-agent, partners, joint ventures, or any other similar such relationships, between the parties hereto.

- H. **ENTIRE AGREEMENT; AMENDMENTS.** This Agreement contains the entire Agreement of the parties respecting the subject matter and supersedes all prior negotiations, representations and/or agreements, either written or oral, between the parties. This Agreement may not be modified or amended except by written Agreement duly executed by both parties.
- I. **INTERPRETATION.** This Agreement has been entered into and under the authority granted under the Act. All terms and provisions are to be construed and interpreted consistently with that Act. Should any part of this Agreement be in dispute, the parties agree that the Agreement shall not be construed more favorably for either party.
- J. **SEVERABILITY.** The provisions of this Agreement are severable. In the event that any paragraph, section, subdivision, sentence, clause, or phrase of this Agreement shall be found to be contrary to law, or contrary to any rule or regulation having the force and effect of the law, such decisions shall not affect the remaining portions of this Agreement; however, upon the occurrence of such event, either party may terminate this Agreement by giving the other party thirty days written notice of its intent to terminate.
- K. **ASSIGNMENT AND SUBLETTING.** This Agreement shall not be assigned in whole or in part without the written consent of both parties.
- L. **WAIVER.** The waiver by either party of a breach of this Agreement shall not constitute a continuing waiver of such breach or of a subsequent breach of the same or a different provision.
- M. **REMEDIES.** No right or remedy granted herein or reserved to the parties is exclusive of any right or remedy granted by law or equity, but each shall be cumulative of every right or remedy given hereunder. No covenant or condition of this Agreement may be waived without the express written consent of the parties. It is further agreed that one or more instances of forbearance by either party in the exercise of its respective rights under this Agreement shall in no way constitute a waiver thereof.
- N. **APPLICABLE LAWS.** This Agreement will be construed in accordance with the laws and Constitution of the State of Texas. All obligations are performable in Smith County, Texas. Exclusive venue shall be in Smith County, Texas.
- O. **CAPTIONS.** Title and headings of Sections or Paragraphs hereof have been inserted for convenience of reference only and are not to be considered a part hereof and shall not in any way modify or restrict any of the terms or provisions hereof and shall never be


considered or given any effect in construing this Agreement or any provision hereof or in ascertaining intent.

P. COUNTERPARTS. This Agreement shall be executed in duplicate originals and all shall constitute but one and the same instrument.

IN WITNESS OF WHICH this Agreement has been executed on this the 2<sup>nd</sup> day of July, 2019.


CITY OF TYLER,  
a Texas municipal corporation

SMITH COUNTY, TEXAS  
a political subdivision of Texas

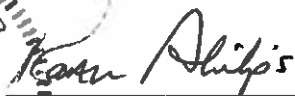
By:   
Edward Broussard  
City Manager

By:   
Cary Nix for Nathaniel Moran  
County Judge

ATTEST:

  
Candace Brager  
City Clerk



  
Karen Phillips  
County Clerk

APPROVED AS TO FORM:

APPROVED AS TO FORM:

  
City Attorney's Office

  
Assistant District Attorney for  
Commissioner's Court

# ARTICLE III. CITY MANAGER; ADMINISTRATIVE

## ORGANIZATION

### **Sec. 20. Appointment, qualifications, compensation, removal of City Manager, designating acting City Manager.**

The Council shall appoint a City Manager who shall be the chief executive and administrative officer of the City. He shall be appointed solely on the basis of executive and administrative qualifications. No member of the Council shall be chosen as City Manager. The City Manager shall be appointed for an indefinite term, as hereinafter provided. The City Manager shall receive such compensation as may be fixed by the Council. The City Manager shall be removable at any time at the pleasure of the Council. If removed at any time after he has served six (6) months, he may demand written charges and the right to be heard thereon at a public meeting of the Council prior to the date on which his final removal shall take effect but, pending and during such hearing, the Council may suspend him from office. The action of the Council in suspending or removing the City Manager shall be final, it being the intention of this Charter to vest all authority and fix all responsibility for such suspension or removal in the Council. The Council may designate some other officer of the City to perform the duties of the City Manager during absence or disability. (Prop. 1, 5-5-90)

### **Sec. 21. Department heads; appointment, removal, qualifications.**

The City Manager shall be responsible to the Council for the proper administration of all affairs of the City and, to that end, shall make all appointments and removals of City Department Heads, subject to approval by the Council. Such appointments or removals may be disallowed by three-fifths (3/5) vote of the Council (formerly secs. 24, 25; see sec. 74). The City Manager shall make all appointments to other positions in the City service upon recommendations of Department Heads. (Props. 1, 5, and 9, 5-5-90)

Department Heads shall in every case be chosen for their particular qualifications in the field of work assigned to them, and shall possess certain minimum requirements of training and experience, to be determined by the Council. (Props. 1 and 9, 5-5-90)

### **Sec. 22. Power and duties specifically of City Manager.**

The powers and duties of the City Manager shall be:

- a. To assure that the laws and ordinances and policies are enforced;
- b. To appoint and remove all Department Heads, subject to Council approval, all such appointments to be upon merit and fitness alone; to oversee and review the appointment and removal of all subordinate officers and employees in the departments, all such persons appointed to be qualified and suitable;
- c. To exercise control over all departments and divisions created herein or that may be hereafter created;
- d. To attend all meetings of the Council with the right to take part in the discussion but having no vote;
- e. To recommend to the Council for adoption such measures as deemed necessary or expedient;
- f. To keep the Council fully advised as to the financial condition and needs of the City; and
- g. To prepare and submit the annual budget on the basis of estimates made by the departments;
- h. To perform such other duties as may be prescribed by this Charter or be required by ordinances or resolutions of the Council. In no case (save when the Council is considering the removal of the City Manager) shall the Council act without first having asked the opinion of the City Manager on that point.

(Props. 1 and 9, 5-5-90)

### **Sec. 23. Administrative departments.**

There shall be such administrative departments as deemed necessary by the City Manager. (Prop. 9, 5-5-90)

### **Sec. 24. Legal department.**

There shall be a Legal department, the head of which shall be the City Attorney. The City Attorney shall be a competent attorney who shall have practiced law in the State of Texas for at least five years immediate preceding

this appointment. The City Attorney shall be the legal advisor of, and attorney for, all of the offices and departments of the City, and shall represent the city in all litigation and legal proceedings. The City Attorney shall draft, approve, or file legal objections to every ordinance adopted by the Council, and shall pass upon all documents, contracts, and legal instruments in which the City may have an interest.

There shall be such Assistant City Attorneys as may be authorized by the Council and appointed by the City Attorney with the approval of the City Manager, and such Assistant City Attorneys shall be authorized to act for and on behalf of the City Attorney. (Prop. 9, 5-5-90)

**Sec. 25. Municipal Court.**

There shall be a court known as the Municipal Court of the City, which court shall be deemed always open for the trial of causes, with such jurisdiction, powers, and duties as are given and prescribed by the laws of the State of Texas. The Municipal Court shall be presided over by a magistrate who shall be known as the Judge of the Municipal Court. The Judge shall be a competent attorney who is licensed to practice law in the State of Texas and shall be appointed by the City Manager. The Judge with the approval of the City Manager shall appoint such equally qualified individuals as necessary to serve as Alternate Municipal Court Judges in the absence of the Municipal Judge. (Prop. 9, 5-5-90)

**Sec. 26. Department Heads; responsibilities.**

The Heads of departments shall be immediately responsible to the City Manager for the administration of their departments, and their advice in writing shall be asked by the City Manager on all questions affecting their departments. They shall make up the departmental estimates and all other reports and recommendations concerning their departments, at stated intervals, and when requested by the City Manager. (Prop. 1, 5-5-90)

**Sec. 27. Reserved.** (Prop. 9, 5-5-90)

**Sec. 28. Reserved.** (Prop. 9, 5-5-90)

**Sec. 29. Reserved.** (Prop. 9, 5-5-90) (Combined with sec. 22)

**Appendix B**  
**Tyler, Texas Urbanized Area**



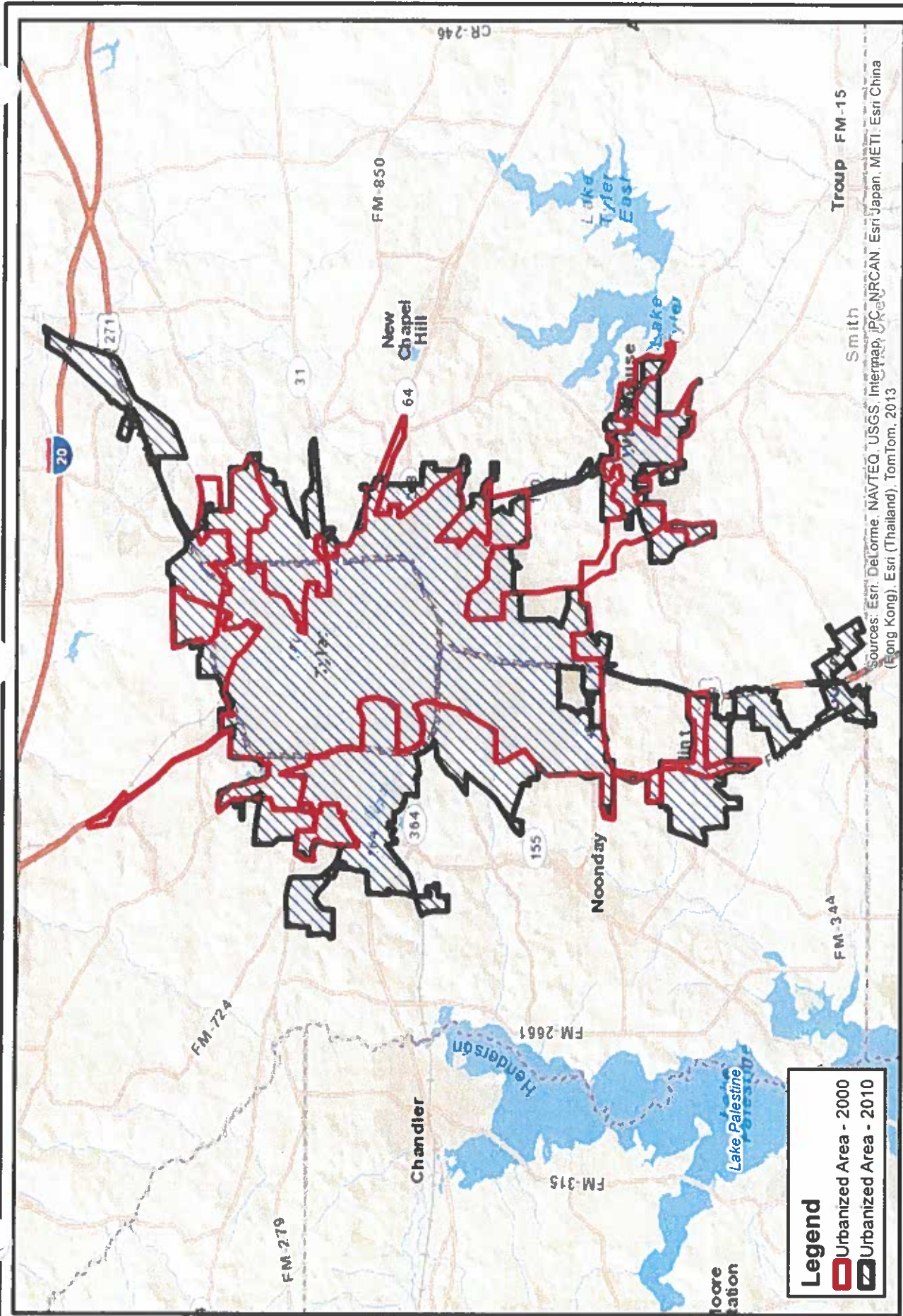
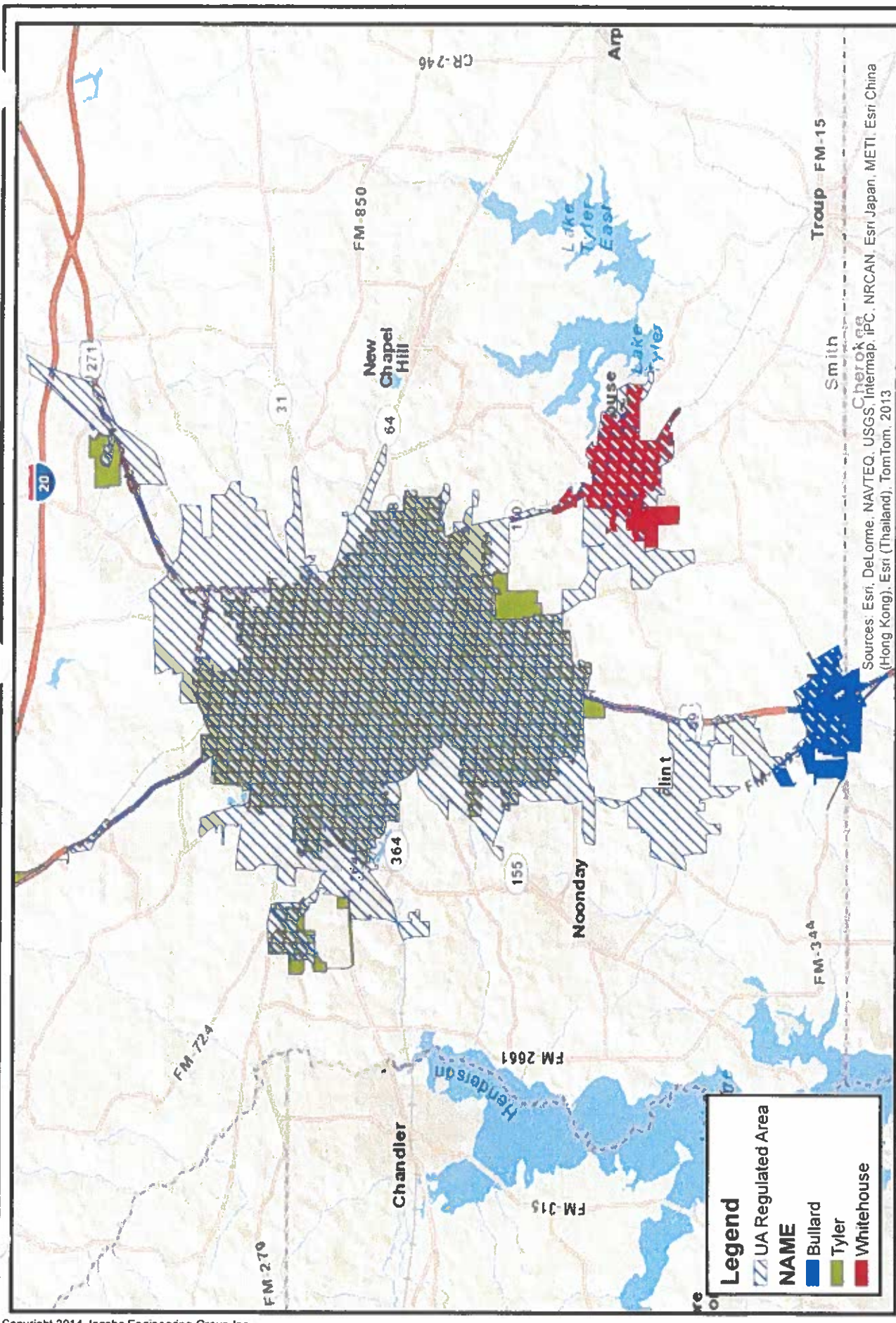


Figure 1

Comparison of the 2000 and 2010 Urbanized Areas

Tyler Texas Urbanized Area  
 Source: TNRIS, City of Tyler, TCEQ





**Legend**

	UA Regulated Area
<b>NAME</b>	
	Bullard
	Tyler
	Whitehouse

Figure **2**

**Tyler Texas Regulated Urbanized Area**

Scale: 0 1 2 3 Miles

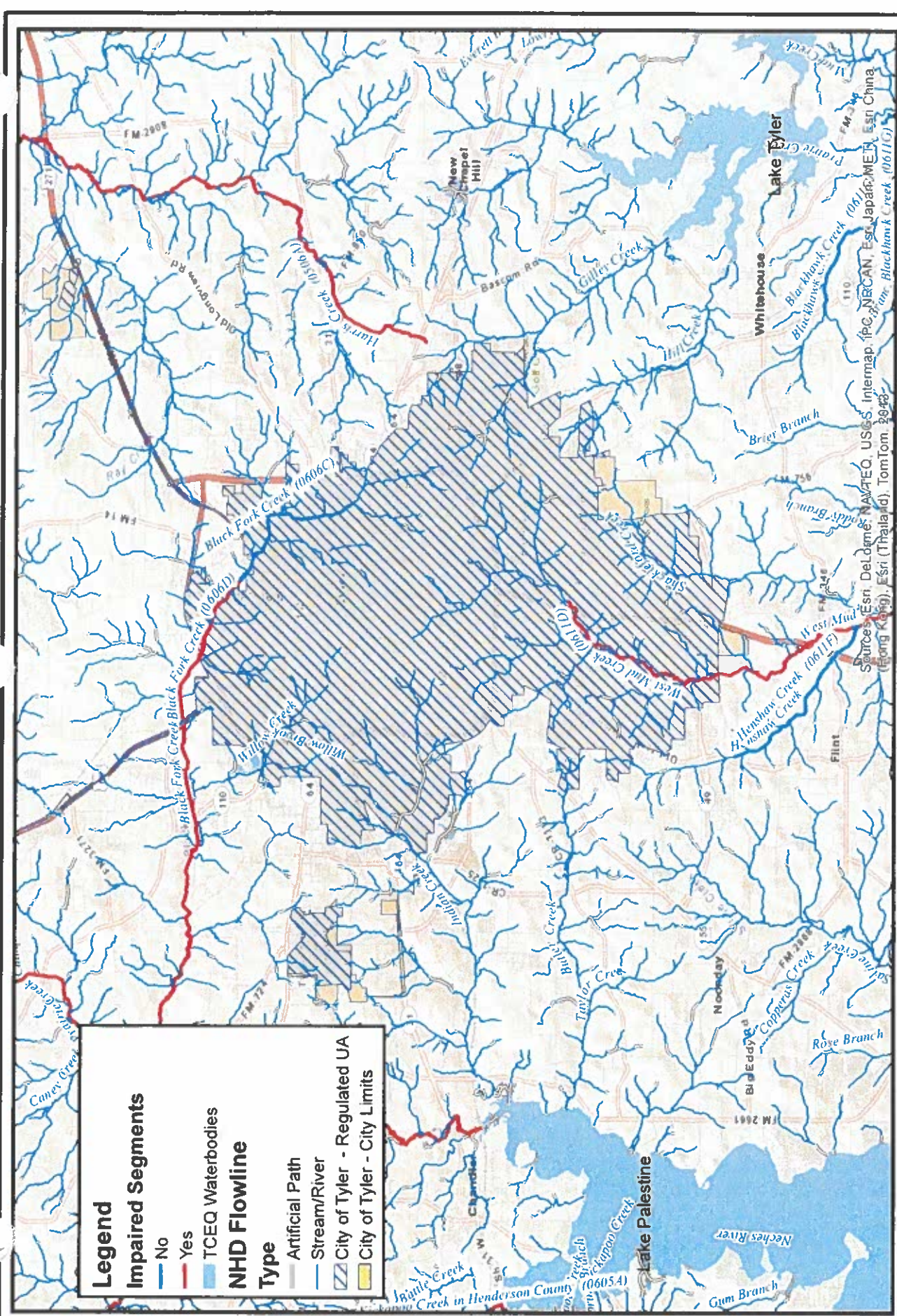
Source: TNRIS, City of Tyler, TCEQ

**JACOBS**

Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013

**Appendix C**  
**Receiving Waterbodies**



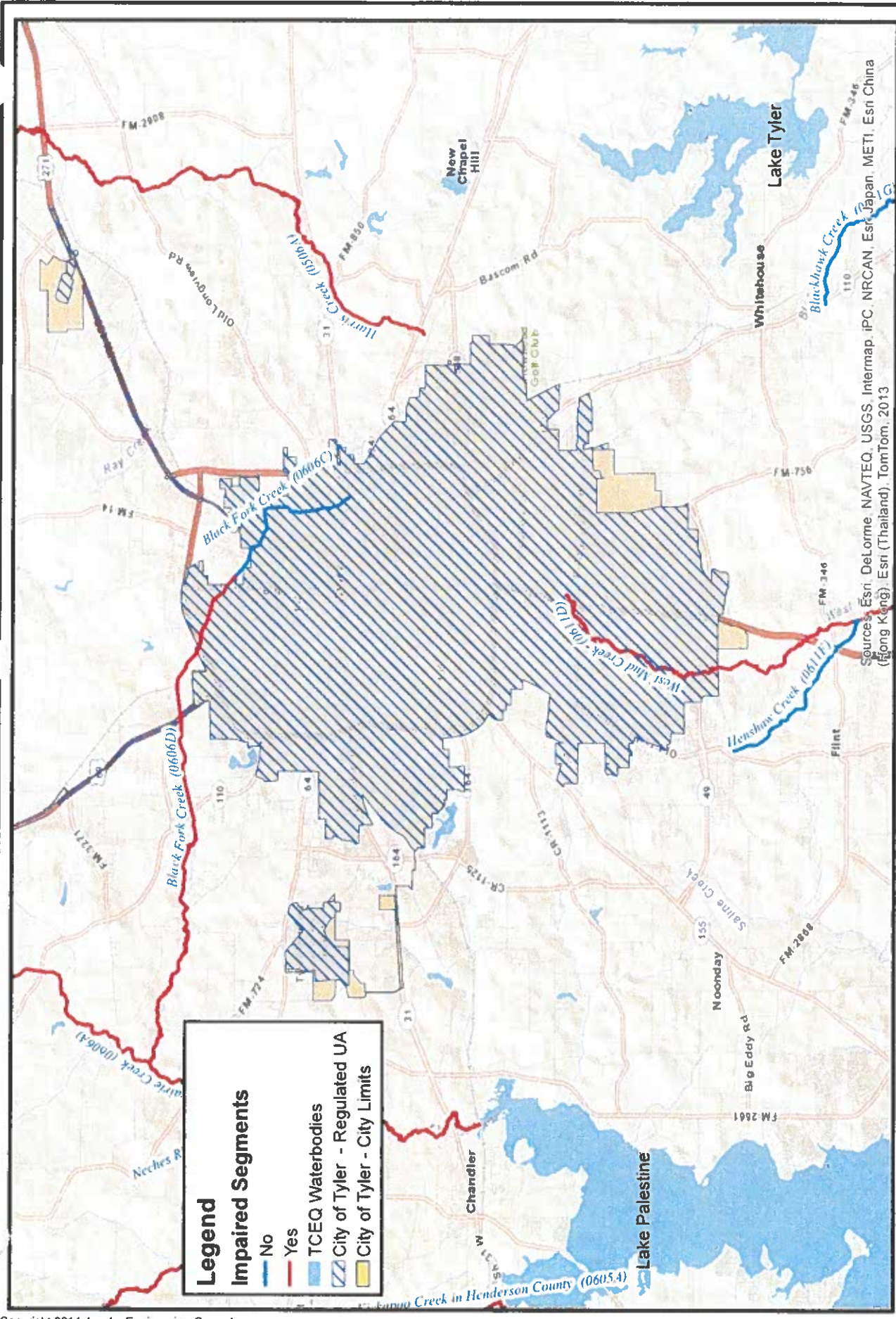


**City of Tyler - Receiving Waterbodies**

Source: TNRIS, City of Tyler, TCEQ, U.S. Census Bureau







**Legend**

- Impaired Segments
  - No (Blue line)
  - Yes (Red line)
- TCEQ Waterbodies (Blue area)
- City of Tyler - Regulated UA (Diagonal hatching)
- City of Tyler - City Limits (Yellow shading)

Figure **4**



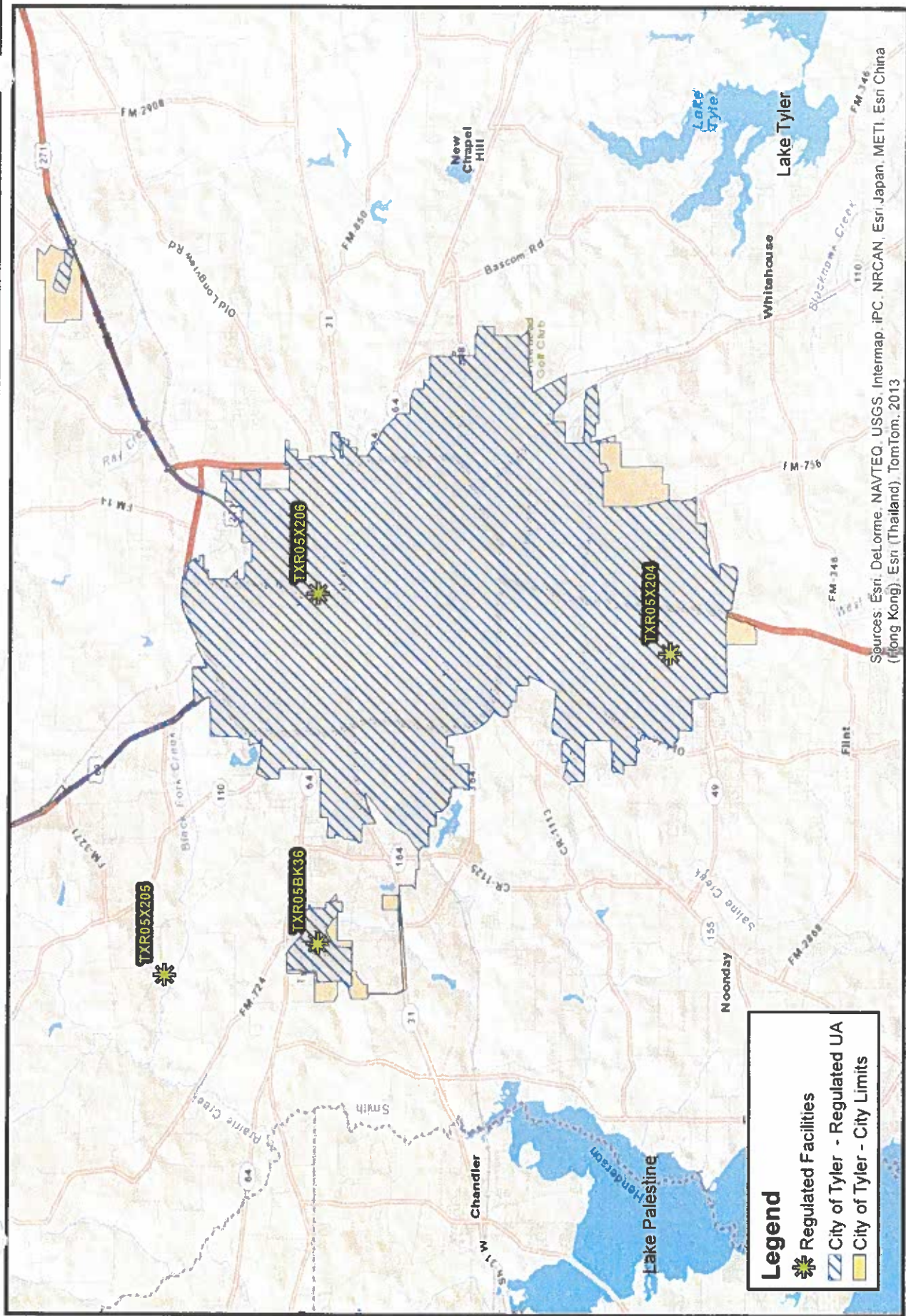
**City of Tyler - Receiving Waterbodies (TCEQ Segments)**

Source: TNRIS, City of Tyler, TCEQ, U.S. Census Bureau

**JACOBS**

**Appendix D**  
**Tyler, Texas Permitted Facilities**





Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri, Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013

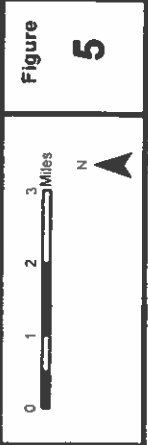


Figure 5

**City of Tyler - Regulated Facilities (TXR050000)**

Source: TNRIS, City of Tyler, TCEQ, U.S. Census Bureau





## **Appendix E**

### **Notice of Intent (NOI) Form Stormwater Master Plan (SWMP) Cover Page Instructions**



**Notice of Intent (NOI) for Small Municipal Separate Storm Sewer Systems (MS4) authorized under TPDES Phase II MS4 General Permit TXR040000**

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**IMPORTANT:**

Use the [INSTRUCTIONS](#) to fill out each question in this form.

Once approved, your permit authorization can be viewed at:

<http://www.tceq.texas.gov/goto/wq-dpa>

**APPLICATION FEE:**

You must pay the \$400 Application Fee to TCEQ for the application to be complete.

Payment and NOI must be mailed to separate addresses.

You can pay online at: <http://www.tceq.texas.gov/goto/epay>

Select Fee Type: GENERAL PERMIT MS4 PHASE II STORMWATER DISCHARGE NOI APPLICATION

**Provide your payment information below, for verification of payment:**

Mailed      Check/Money Order Number: 370740  
Check/Money Order Amount: 400.00  
Name Printed on Check: City of Tyler

EPAY      Voucher Number: [REDACTED]

Is a copy of the Payment Voucher enclosed?     Yes

**One (1) copy of the NOI, Stormwater Management Program (SWMP) cover sheet, and SWMP MUST be submitted with the original NOI, SWMP cover sheet, and SWMP.**

Is the copy attached?     Yes

**REASON FOR APPLICATION:**

Select the reason you are submitting this application:

- New authorization
- Renewal of authorization number: TXR040041

**Note: An authorization cannot be renewed after July 23, 2019**

### 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 600335657
- b) What is the exact Legal Name of the entity (applicant) applying for this permit?  
City of Tyler
- c) Complete and attach a Core Data Form (TCEQ-10400) for this customer.

### Section 2. ANNUAL BILLING CONTACT

The operator is responsible for paying the annual water quality fee. The annual fee will be assessed to permits active on September 1 of each year. TCEQ will send a bill to the address provided in this section. The operator is responsible for terminating the permit when it is no longer needed.

Provide the name and contact information of the billing contact.

Prefix (Mr. or Ms.): Mr.

First and Last Name: Paul Neuhaus

Title: Environmental Compliance Engineer

Organization Name: City of Tyler

Phone Number: 903-531-1085

Fax Number:

Email: pneuhaus@tylertexas.com

Mailing Address: 511 W Locust St

City, State, and Zip Code: Tyler, TX 75702

### Section 3. APPLICATION CONTACT

This is the person TCEQ will contact if additional information is needed about this application.

Provide the name and contact information of the application contact.

Prefix (Mr. or Ms.): Mr.

First and Last Name: Paul Neuhaus

Title: Environmental Compliance Engineer

Organization Name: City of Tyler

Phone Number: 903-531-1085

Fax Number:

Email: pneuhaus@tylertexas.com

Mailing Address: 511 W Locust St

City, State, and Zip Code: Tyler, TX 75702

**Section 4. REGULATED ENTITY (RE) INFORMATION FOR SITE**

- a) If this is an existing permitted site, what is the Regulated Entity Number (RN) issued to this site? RN 105481279
- b) Name of site as known by the local community:  
City of Tyler MS4
- c) Name of the urbanized area(s) the Phase II MS4 is located within:  
Tyler
- d) Provide a brief description of the regulated MS4 boundaries: *Example: Area within the City of XXXX limits that is located within the xxx urbanized area:*  
Area within the City of Tyler corporate limits that is located within the Tyler urbanized area.

**Section 5. GENERAL CHARACTERISTICS**

- a) Is this site located on Indian Country Lands?
  - Yes, do not submit this form. You must obtain authorization through U.S. EPA Region 6.
  - No, continue to item b
- b) Has TCEQ formally "designated" the small MS4 as needing coverage under this general permit?
  - Yes. Attach a copy of the documentation sent to the MS4 by TCEQ.
  - No
- c) Select the MS4 level, which is based on the population served within the urbanized area (UA) based on the most recent Decennial Census at the time of issuance of the general permit.
  - Level 1:** Traditional small MS4s with a population of less than 10,000.
  - Level 2:** Traditional small MS4s with a population of at least 10,000 but less than 40,000.  
  
Non-traditional MS4s: This level also includes all non-traditional small MS4s regardless of population unless the non-traditional MS4 can demonstrate that it meets the criteria for a waiver from permit coverage. *Examples of non-traditional small MS4s include counties, drainage districts, transportation entities, military bases, universities, colleges, correctional institutions, municipal utility districts, and other special districts.*
  - Level 3:** Traditional small MS4s with a population of at least 40,000 but less than 100,000.
  - Level 4:** Traditional small MS4s with a population of 100,000 or more.
- d) What is the estimated current population served by your MS4 (regulated area?)  
103,000 People

e) Is the MS4 part of a coalition?

Yes

No

f) If yes, list the entity names of the coalition members responsible for implementation of the SWMP *and* their unique TXR04#### number.

- |                        |                    |
|------------------------|--------------------|
| 1. <u>Smith County</u> | <u>TXR04 0040</u>  |
| 2. _____               | <u>TXR04</u> _____ |
| 3. _____               | <u>TXR04</u> _____ |
| 4. _____               | <u>TXR04</u> _____ |
| 5. _____               | <u>TXR04</u> _____ |
| 6. _____               | <u>TXR04</u> _____ |

If needed, add a copy of this page to add more entities.

g) What is your annual reporting year?

Calendar year

Small MS4 General Permit year

MS4 Fiscal year - What is the last month and day of the fiscal year? \_\_\_\_\_

h) Stormwater Management Program (SWMP)

1. I certify that the SWMP submitted with this NOI has been developed according to the provisions of the Small MS4 General Permit TXR040000.  Yes
2. I certify that the SWMP Cover Sheet is completed and attached to the front of the SWMP.  Yes
3. Have the program elements in the previous SWMP been re-assessed and modified and new program elements been developed and implemented, as necessary?  
 Yes  
 No. This facility did not have a previous authorization.
4. Is the optional 7<sup>th</sup> Minimum Control Measure (MCM) for Municipal Construction Activities selected and included with the attached SWMP?  
 No. Continue to Question 5.  
 Yes.  
If yes, is MCM 7 limited to the regulated area within the urbanized area?  
 Yes. Continue to Question 5.  
 No

If No, then MCM 7 is included in the geographic area or boundary outside of the urbanized area. Note: In this case, you must incorporate the entire area

(urbanized and non-urbanized areas) in the SWMP and implement all MCMs 1-7 in the urbanized and non-urbanized areas.

5. Provide the name and contact information of the person responsible for implementing or coordinating implementation of the SWMP.

Prefix (Mr. or Ms.): Mr.

First and Last Name: Paul Neuhaus

Title: Environmental Compliance Engineer

Organization Name: City of Tyler

Phone Number: 903-531-1085

Fax Number: [REDACTED]

Email: pneuhaus@tylertexas.com

Mailing Address: 511 W Locust St

City, State, and Zip Code: Tyler, TX 75702

i) Discharge Information

1. What is the name of the waterbody(ies) receiving stormwater discharges from the MS4? Black Fork Creek, Butler Creek, Gilley Creek, Harris Creek, Henshaw Creek, Hill Creek, Indian Creek, Neches River, Shackelford Creek, West Mud Creek, Willow Creek

2. What is the classified segment number(s) that the discharges will eventually reach? 0506A, 0605, 0606C, 0606D, 0606, 0611D, 0611F, 0611

Does the small MS4 discharge directly or indirectly into the classified segment(s)?

Directly

Indirectly

3. Are any of the waterbody(ies) receiving discharges from the small MS4 identified as impaired waters (Category 4 or 5) in the *Texas Integrated Report of Surface Water Quality*?

Yes

What is the name of the impaired waterbody(ies) receiving the discharge from the small MS4? Harris Creek, Black Fork Creek, Lake Palestine, Neches River above Lake Palestine, West Mud Creek, Angelina River above Sam Rayburn Reservoir

What is/are the pollutants(s) of concern? PH, bacteria, and depressed dissolved oxygen

No

4. Does the impaired water body(ies) have a TMDL (Category 4 waterbody)?

Yes

What is/are the pollutants with a TMDL? [REDACTED]

No

5. Does your MS4 discharge into any other MS4 entity's jurisdiction prior to discharge into water in the state?

Yes

What is the name of the MS4 operator? Some areas may discharge to Smith County MS4 prior to discharge to surface waters of the state

No

6. Edwards Aquifer Rule

Is the discharge or potential discharge within the Recharge Zone, Contributing Zone, within the Contributing Zone within the Transition Zone, or zero to ten (0 to 10) miles upstream of the Recharge Zone of the Edwards Aquifer?

Yes - **NOTE: A copy of the agency approved Water Pollution Abatement Plan (WPAP) required by the Edwards Aquifer Rule (30 TAC Chapter 213) must be either included or referenced in the SWMP.**

No

- j) Public Participation Process

1. Provide the name and contact information of the person responsible for publishing notice of the executive director's preliminary determination on the MS4's NOI and SWMP?

Prefix (Mr. or Ms.): Mr.

First and Last Name: Paul Neuhaus

Title: Environmental Compliance Engineer

Company: City of Tyler

Phone Number: 903-531-1085

Fax Number: [REDACTED]

Email: pneuhaus@tylertexas.com

Mailing Address: 511 W Locust St

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

City, State, and Zip Code: Tyler, TX 75702

2. Provide the name and location of the public place where copies of the NOI, SWMP, Small MS4 General Permit TXR040000, and general permit fact sheet may be viewed and copied by the public?

Name of Public Place: City of Tyler Water Utilities Administration Office

Address of Public Place: 511 W Locust St

County of Public Place: Smith County

3. Provide the address for the website where the MS4's SWMP and annual report will be posted. www.cityoftyler.org



Do not have a website.

## Section 6. CERTIFICATION

I certify that I have obtained a copy and understand the terms and conditions of the Phase II (Small) MS4 General Permit TXR040000 issued January 24, 2019.

Yes

I certify that the small MS4 qualifies for coverage under the Phase II (Small) MS4 General Permit TXR040000.

Yes

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

Yes

I understand that authorizations active on September 1<sup>st</sup> of each year will be assessed an Annual Water Quality Fee.

Yes

### Operator Certification

Operator Signatory Name: Edward Broussard

Operator Signatory Title: City Manager

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): Edward Broussard Date: 07/10/2019

PN  
Ed  
Edward H. Broussard

# STORMWATER MANAGEMENT PROGRAM (SWMP) COVER SHEET

This cover sheet **MUST** be attached to the front of the SWMP.

## Operator

Operator name: City of Tyler

## Required Program Elements

The SWMP needs to include:

- BMPs and measurable goals that are clear, specific, and measurable,
- Annual Reporting Year selected, and
- Estimated population served by the MS4.

## Legal Authorities

Include in the SWMP the list of local legal authorities (i.e., ordinance, rule) that the MS4 has adopted to implement any of the MCMs. List all and what MCM they each cover.

## Minimum Control Measures

For each MCM, complete the table by entering the page number where the required element can be found in the SWMP

### MCM 1: Public Education, Outreach, and Involvement

Table 1: Required Elements for MCM 1

MCM 1 Required Elements	SWMP page number
SWMP includes a stormwater education and outreach program to educate public employees, business, and the general public about hazards associated with the illegal discharges and improper disposal of waste and about the impacts stormwater can have on water quality, and steps they can take to reduce pollutants in stormwater	17-27
Clearly define the goals and objectives of the program based on high-priority community-wide issues	19-27
Identify the target audiences	19-27
Develop or use appropriate educational material	19-27
Procedures to distribute educational material	19-23
Make the educational material available to the target audience at least annually	19-23

<b>MCM 1 Required Elements</b>	<b>SWMP page number</b>
Post the SWMP and annual reports on the MS4's website, if the MS4 has a website	22
Include the MS4's website address where the SWMP and annual reports will be found, if the MS4 has a website	22
SWMP includes a program that complies with state and local public notice requirements	17-27
Include public input in the implementation of the program	20,22,23
Include opportunities for citizen to participate in implementation of control measures	23-25
Ensure the public can easily can find information about the SWMP.	19-23
SWMP lists Best Management Practices (BMPs) used to fulfill this MCM. Examples of possible BMPs could be stream-clean-ups, storm drain stenciling, volunteer water quality monitoring, brochures, billboards, and websites.	18,19-27
SWMP includes measurable goals that are clear, specific, and measurable, and the method of measurement, for addressing stormwater quality	17-27
SWMP has been fully implemented, or includes a schedule of implementation not to exceed five (5) years from the general permit issuance date of January 24, 2019	17-27

## **MCM 2: Illicit Discharge Detection and Elimination**

Table 2: Required Elements for MCM 2

<b>MCM 2 Required Elements</b>	<b>SWMP page number</b>
Description of the program that will be used to detect, investigate and eliminate illicit discharges. The program includes a plan to detect and address illicit discharges, including illegal dumping to the MS4 system.	30
MS4 map: The map includes: <ul style="list-style-type: none"> <li>• Location of all small MS4 outfalls operated by the MS4 and that discharge into waters of the U.S.;</li> <li>• Location and name of all surface waters receiving discharge from the MS4s outfalls;</li> <li>• For Level 3 and 4 small MS4s: Location of MS4 owned or operated facilities and stormwater controls; and</li> <li>• For Level 4 small MS4s: Location of priority areas.</li> </ul>	29
Methods for informing and training MS4 field staff	32
Procedures for tracing the source of an illicit discharge	30,31,35,38

<b>MCM 2 Required Elements</b>	<b>SWMP page number</b>
Procedures for removing the source of the illicit discharge	31
Procedures to facilitate public reporting of illicit discharges or water quality impacts associated with discharges into or from the small MS4	31,35
Procedures for responding to illicit discharges and spills	31,33
Procedures for inspections in response to complaints	31
<b>For Level 2, 3, and 4 small MS4:</b> Procedures to prevent and correct leaking on-site sewage disposal systems	34
<b>For Level 3 and 4 small MS4s:</b> Procedures for follow-up investigation to verify that the illicit discharge has been eliminated	30,31
<b>For Level 4 small MS4s:</b> Procedures for identifying and creating a list of priority areas within the small MS4s likely to have illicit discharges	N/A
<b>For Level 4 small MS4s:</b> Procedures for a dry weather field screening program to assist in detecting and eliminating illicit discharges to the small MS4. Dry weather field screening consists of (1) field observations and (2) field screening.	N/A
<b>For Level 4 small MS4s:</b> Procedures to reduce the discharge of floatables in the small MS4	N/A
SWMP lists BMPs used to fulfill this MCM. Examples of possible BMPs could be hazardous materials disposal opportunities, inspections of the storm sewer system, and dye testing.	30,31,33-38
SWMP includes measurable goals that are clear, specific, and measurable, and the method of measurement, for addressing stormwater quality	28-38
SWMP has been fully implemented, or includes a schedule of implementation not to exceed five (5) years from the general permit issuance date of January 24, 2019	28-38

### **MCM 3: Construction Site Stormwater Runoff Control**

Table 3: Required Elements for MCM 3

<b>MCM 3 Required Elements</b>	<b>SWMP page number</b>
Program requires operators of construction sites one acre and greater (including larger common plan) to select, install, implement, and maintain stormwater control measures	40-42
Description of ordinance or other regulatory mechanism to require erosion and sediment controls, as well as sanctions to ensure compliance, to the extent allowable under state and local law	40
Program requires construction site operators to implement BMPs for erosion and sediment control	41,42

MCM 3 Required Elements	SWMP page number
Program requires construction site operators to have procedures for initiating and completing soil stabilization measures	40-42
Program requires construction site operators to implement BMPs to control pollutants from equipment and vehicle washing and other wash waters	41
Program requires construction site operators to implement BMPs to minimize exposure to stormwater of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste, and other materials	40,42
Program requires construction site operators to implement BMPs to minimize the discharge of pollutants from spills and leaks.	40,42
Program ensures that the construction site has developed a stormwater pollution prevention plan in accordance with the TPDES Construction General Permit TXR150000	40,42
Program prohibits illicit discharges such as wash out wastewater, fuels, oils, soaps, solvents, and dewatering activities	40,42
Procedures for construction site plan review to consider water quality impacts	40,41
Procedures for construction site inspections and enforcement of control measures, to the extent allowable under state and local law	40,42
Procedures for receipt and consideration of information submitted by the public	44
Procedures for MS4 staff training	43
<b>For Level 3, and 4 small MS4s:</b> Procedures to develop and maintain an inventory of all permitted active public and private construction sites greater than one acre (and sites that are less than one acre if part of larger common plan of development or sale)	41,42
SWMP lists BMPs used to fulfill this MCM. Examples may include: notification to discharger of responsibilities under TPDES CGP; hire staff to review construction site plans; provide a web page for public input on construction activities; perform site inspections and enforcement; provide education and training for construction site operators; and mechanism to prohibit discharges into MS4 where necessary.	41-44
SWMP includes measurable goals that are clear, specific, and measurable, and the method of measurement, for addressing stormwater quality	39-44
SWMP has been fully implemented, or includes a schedule of implementation not to exceed five (5) years from the general permit issuance date of January 24, 2019	39-44

## MCM 4: Post Construction Stormwater Management in New Development and Redevelopment

Table 4: Required Elements for MCM 4

MCM 4 Required Elements	SWMP page number
Description of a program that will be developed, implemented and enforced, to control stormwater discharges from private and public new development and redeveloped sites that discharge into the small MS4 that disturb one acre or more (and sites that disturb less than one acre that are part of a larger common plan of development or sale)	46-49
Description of ordinance or other regulatory mechanism that is in place or planned which will regulate discharges from new development and redevelopment projects	46
Establish, implement, and enforce a requirement that owners or operators of new development and redeveloped sites design, install, implement, and maintain a combination of structural and non-structural BMPs appropriate for the community and that protects water quality	46,47,48
Procedures to document and maintain records of enforcement actions	46
Procedures to ensure long-term operation and maintenance of post construction stormwater control measures	46,47,48
Operation and maintenance of post construction stormwater control measures is documented	48
<b>For Level 4 small MS4s:</b> Develop and implement an inspection program to ensure that all post construction stormwater control measures are operating correctly and are being maintained. Inspections must be documented	N/A
SWMP lists BMPs used to fulfill this MCM. Examples may include: local ordinance in place or planned; guidance document for developers to use; specific BMPs established for particular watersheds; list of appropriate BMPs provided to operators; elimination of curbs and gutters; incentives for use of permeable choices, such as porous pavement; requirements for wet ponds or other BMPs for certain size sites; and xeriscaping.	47-49
SWMP includes measurable goals that are clear, specific, and measurable, and the method of measurement, for addressing stormwater quality	45-49
SWMP has been fully implemented, or includes a schedule of implementation not to exceed five (5) years from the general permit issuance date of January 24, 2019	45-49

## MCM 5: Pollution Prevention and Good Housekeeping for Municipal Operations

Table 5: Required Elements for MCM 5

MCM 5 Required Elements	SWMP page number
Description of an operation and maintenance (O&M) program, including an employee training component, to reduce/prevent pollution from municipal activities and municipally owned areas included but not limited to park and open space maintenance; street, road, or highway maintenance; fleet and building maintenance; stormwater system maintenance; new construction and land disturbances; municipal parking lots; vehicle and equipment maintenance and storage yards; waste transfer stations; and salt/sand storage locations	51
Develop and maintain an inventory of facilities and stormwater controls that are owned or operated by the MS4	60
Procedures to inform or train staff involved in implementing pollution prevention and good housekeeping practices. Maintain training attendance records	51
Procedures to remove and properly dispose of waste from the MS4	50, 54, 55
Contractors hired by the MS4 must be required to comply with operating procedures. Develop contractor oversight procedures	60
Evaluate O&M activities for their potential to discharge pollutants in stormwater for road and parking lot maintenance, bridge maintenance, cold weather operations, right-of-way maintenance, etc.	56-58, 60,61
Identify pollutants of concern that could be discharged from the O&M activities	56-58, 60,61
Develop and implement pollution prevention measures that will reduce discharge of pollutants from O&M activities	56-58, 60,61
Conduct inspections of pollution prevention measures and maintain inspection log	60
Procedures for inspecting and maintaining structural controls	60
<b>For Level 3 and 4 small MS4s:</b> Develop and implement an O&M program to reduce the collection of pollutants in catch basins and other surface structures in the storm sewer system	57
<b>For Level 3 and 4 small MS4s:</b> Develop a list of potential problem areas in the storm sewer system for increased inspection (for example, areas with recurring illegal dumping)	57
<b>For Level 3 and 4 small MS4s:</b> Implement an O&M program to reduce discharge of pollutants from roads that includes at least a street sweeping and cleaning program, or inlet protection. The program includes an implementation schedule and a waste disposal procedure	56
<b>For Level 3 and 4 small MS4s:</b> Assess its facilities for their potential to discharge pollutants into stormwater and identify high priority facilities that have a high potential to generate stormwater pollutants. At a	60



MCM 5 Required Elements	SWMP page number
minimum, facilities include the MS4s maintenance yards, hazardous waste facilities, fuel storage locations, and any other facilities at which chemicals or other materials have a high potential to be discharged in stormwater. Document the results of the assessments	
<b>For Level 3 and 4 small MS4s:</b> Develop facility specific stormwater management Standard Operation Procedures for high priority facilities	60
<b>For Level 3 and 4 small MS4s:</b> MS4 implements stormwater controls at high priority facilities that address good housekeeping; de-icing and anti-icing storage; fueling operations and vehicle maintenance; equipment and vehicle washing	60
<b>For Level 3 and 4 small MS4s:</b> Develop and implement an inspection program that includes high priority facilities	60
<b>For Level 4 small MS4s:</b> Develop an application and management program for pesticides, herbicides, and fertilizers used at public open spaces. Implement the following: educational activities, permits, etc for applicators and distributors; encourage of non-chemical solutions for pest management; develop schedules that minimizes discharge of pollutants; ensure collection and proper disposal of unused pesticides, herbicides, and fertilizers	55,61
<b>For Level 4 small MS4s:</b> Evaluate flood control projects. Design, construct, and maintain new flood control structures to provide erosion prevention and pollutant removal from stormwater. Retrofitting of existing structural flood control devices is implemented to the maximum extent practicable (MEP)	58
SWMP lists BMPs used to fulfill this MCM. Examples may include: BMPs which address fleet vehicle maintenance/washing; BMPs which address parking lot and street cleaning; catch basin and storm drain system cleaning; landscaping and lawn care (e.g. xeriscaping); waste materials management; road salt application and storage practices; used oil recycling; pest management practices; fire training facilities; BMPs which address roadway and bridge maintenance; golf course maintenance/waste disposal; disposal of cigarette butts; and park maintenance (e.g., providing trash bags).	52-62
SWMP includes measurable goals that are clear, specific, and measurable, and the method of measurement, for addressing stormwater quality	50-62
SWMP has been fully implemented, or includes a schedule of implementation not to exceed five (5) years from the general permit issuance date of January 24, 2019	50-62

### MCM 6: Industrial Stormwater Sources

Table 6: Required Elements for MCM 6

MCM 6 Required Elements	SWMP page number
<b>For Level 4 MS4 only:</b> Identify and control industrial stormwater sources that at least includes the MS4's landfills; other treatment, storage, or disposal facilities for municipal waste; hazardous waste treatment, storage, disposal and recovery facilities; and facilities that are subject to Emergency Planning and Community Right-to-Know Act (EPCRA).	N/A
<b>For Level 4 MS4 only:</b> Procedures for inspecting and implementing control measures for discharges from industrial stormwater sources.	N/A

### Optional MCM 7: Municipal Construction Activities

This MCM is only applicable where the small MS4 has selected to be the construction site operator for their municipal construction activities. This MCM provides an alternative to the MS4 operator seeking discharge authorization under the Construction Stormwater General Permit TXR150000.

Table 7: Required Elements for MCM 7

MCM 7 Required Elements	SWMP page number
Description of how municipal construction activities will be conducted so as to take into consideration local conditions of weather, soils, and other site specific considerations	64
Description of the area that this MCM will address and where the MS4 operator's municipal construction activities are covered (e.g. within the boundary of the urbanized area, the corporate boundary, a special district boundary, an extra territorial jurisdiction, or other similar jurisdictional boundary)	64
If the area included in this MCM includes areas outside of the UA, then all MCMs (MCM 1 through MCM 7) will be implemented over those additional areas as well	64
Description of how contractor activities will be supervised or overseen to ensure that the Stormwater Pollution Prevention Plan (SWP3) requirements are properly implemented at the construction site(s); or how the MS4 operator will make certain that contractors have a separate authorization for stormwater discharges if needed	64
General description of how a construction SWP3 will be developed for each municipal construction site	64
Records of municipal construction activities authorized under this optional MCM	64

# 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.

- 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:

### *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/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: TXR040000

1. Check / Money Order No: 370740
2. Amount of Check/Money Order: \$400.00
3. Date of Check or Money Order: 7/11/2019
4. Name on Check or Money Order: City of Tyler
5. NOI INFORMATION

If the check is for more than one NOI, list each Project/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 ENTRIES.

If more space is needed, you may attach a list.

Project/Site (RE) Name: City of Tyler

Project/Site (RE) Physical Address: 511 W Locust St. Tyler, TX 75702

Staple Check in This Space

**Instructions for Notice of Intent (NOI) for Small  
Municipal Separate Storm Sewer Systems (MS4)  
authorized under  
TPDES Phase II MS4 General Permit TXR040000**

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**GENERAL INFORMATION**

**Where to Send the Notice of Intent (NOI)**

You are required to submit the original and one copy of the NOI, Core Data Form(s), Stormwater Management Program (SWMP) Cover Sheet, and the SWMP. Submit these documents to one of the following addresses:

**BY REGULAR U.S. MAIL:**

Texas Commission on Environmental  
Quality  
ARP Team (MC-148)  
P.O. Box 13087  
Austin, Texas 78711-3087

**BY OVERNIGHT/EXPRESS MAIL:**

Texas Commission on Environmental  
Quality  
ARP Team (MC-148)  
12100 Park 35 Circle  
Austin, TX 78753

**Fees Associated with this General Permit**

The application fee of \$400 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.

**Where to Send the Payment**

**BY REGULAR U.S. MAIL:**

Texas Commission on Environmental  
Quality  
Financial Administration Division  
Cashier's Office, MC 214  
P.O. Box 13088  
Austin, Texas 78711-3087

**BY OVERNIGHT/EXPRESS MAIL:**

Texas Commission on Environmental  
Quality  
Financial Administration Division  
Cashier's Office, MC 214  
12100 Park 35 Circle  
Austin, TX 78753

**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 MS4 Phase II Stormwater 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.

## Annual Water Quality Fee

This fee is assessed to permittees with an active authorization under the general permit on September 1 of each year. The designated billing contact will receive an invoice for payment of the annual fee in November of each year. The payment will be due 30 days from the invoice.

A 5% penalty will be assessed if the payment is not received by TCEQ by the due date. Annual fee assessments cannot be waived as long as the authorization under the general permit is active on September 1.

It is important for the permittees to submit an NOT when coverage under the general permit is no longer required. An NOT is effective on the postmarked date of mailing the form to TCEQ. If the NOT is mailed it is recommended that the NOT be mailed using a method that documents the date mailed and received by TCEQ.

### Mailed Payments:

You must return your payment with the billing coupon provided with the billing statement.

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

You must enter your account number provided at the top portion of your billing statement. Payment methods include American Express, MasterCard, Visa, and electronic check payment (ACH).

## TCEQ Contact List

Small Business & Local Government Assistance	800-447-2827
Application - status and form questions:	512-239-4671
Technical questions:	512-239-4671
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 Core Data Form, NOI, and SWMP are 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(s) 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.

**Technical Review of SWMP:** The NOI and SWMP will be reviewed to verify compliance with the requirements in the general permit. More information may

be requested by phone or technical NOD letter mailed to the SWMP contact. When a determination is made that the SWMP meets the requirements of the general permit, the Executive Director's preliminary determination will be prepared and filed with the TCEQ Office of Chief Clerk (OCC).

**Public Participation Process:** The OCC will mail the Executive Director's preliminary determination to the public participation contact provided in the NOI. This individual must publish the notice in the newspaper of largest circulation in the county where the small MS4 is located.

The comment period begins on the first date the notice is published and ends 30 days later, unless a public meeting is held. If a public meeting is held, the comment period will end at the closing of the public meeting.

The applicant must submit a copy of the newspaper clipping and an affidavit signed by the newspaper staff to the OCC within 60 days of receiving the written instructions from the OCC.

If significant public interest exists, the executive director will direct the applicant to publish notice of the meeting and to hold the public meeting. The applicant must publish the notice of public meeting at least 30 days prior to the public meeting and hold the meeting in the county where the MS4 is located.

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

or

**Denial of Coverage:** Coverage may be denied if the operator fails to respond to the NOD, the response is inadequate, or the NOI and SWMP do not meet the requirements of the general permit. If coverage is denied, the operator will be notified.

### General Permit

Coverage under the general permit begins upon approval of the NOI, Core Data Form, and SWMP by TCEQ and after the public notice process has been completed. 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, at the following website <http://www.tceq.texas.gov>. Search using keyword TXR040000.

### General Permit Forms

The Notice of Intent (NOI), Notice of Termination (NOT), Notice of Change (NOC) and Core Data Form (including instructions) are available at the TCEQ web site <http://www.tceq.texas.gov>.

### Change in Operator

An authorization under the general permit is not transferable. If the operator changes, the present permittee must submit a Notice of Termination (NOT) and the new operator must submit a Notice of Intent and a Core Data Form. The NOT, NOI and Core Data Form must be submitted no later than 10 days prior to the change in status.

## INSTRUCTIONS FOR FILLING OUT THE FORM

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

This number will begin with TXR04. Do not use TXR040000, it is *the general permit number not your* authorization number.

### Section 1. Operator (Applicant)

#### a) Customer Number (CN)

TCEQ assigns 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, or on the legal documents forming the entity as filed with the county. If filed in the county, provide a copy of the legal documents showing the legal name.

#### c) Core Data Form

Complete and attach a Core Data Form (TCEQ-10400) for each customer.

### Section 2. Annual Billing Contact

An annual fee is assessed to each operator holding an active authorization under the general permit on September 1 of each year.

Provide the contact name and complete mailing address where the annual fee invoice should be mailed. Verify the address with the USPS. It must be an address for delivery of regular mail, not overnight express mail.

The phone number should provide contact to the individual responsible for paying the annual fee.

The fax number and e-mail address are optional and should correspond to the individual responsible for paying the annual fee.

### Section 3. Application Contact

Provide the name, title and contact information of the person that TCEQ can contact for additional information regarding this application. This contact may be a consultant or entity other than the applicant.

### Section 4. Regulated Entity (RE) Information For Site

#### a) Regulated Entity Reference Number (RN)

The RN is issued by TCEQ 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.

**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) Name of Urbanized Area**

List the formal name of the urbanized area(s) where the MS4 is located using the 2010 U.S. Census maps referenced in Section 5. c) below. For example: Dallas-Fort Worth-Arlington Urbanized area.

**d) Describe the boundaries of the regulated portion of the small MS4**

Briefly describe the boundaries of the regulated portion of the small MS4.

### Section 5. 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. Do not submit this application form to TCEQ. You must obtain authorization through EPA, Region 6, in Dallas.

**b) TCEQ “Designated” Small MS4**

A small MS4 that is outside of an urbanized area that is formally “designated” by TCEQ is eligible for coverage under this general permit. The small MS4 Operator must obtain authorization under this general permit or apply for coverage under an individual TPDES stormwater permit within 180 days of notification of their designation. If the small MS4 was already designated, please attach a copy of the documentation sent to the MS4 by TCEQ.

**c) MS4 Level**

The general permit defines MS4s by four different levels, based on the population served within the 2010 U.S. Census urbanized area (UA). “Population served” means the residential population within the regulated portion of the small MS4 based on the 2010 U.S. Census, except for non-traditional small MS4s that are classified as Level 2.

A reference map identifying the 2010 U.S. Census UAs can be found at [www.epa.gov/npdes/urbanized-area-maps-mpdes-ms4-phase-ii-stormwater-permits](http://www.epa.gov/npdes/urbanized-area-maps-mpdes-ms4-phase-ii-stormwater-permits).

Districts that did not have a population during the 2010 U.S. Census, are required to apply when their population exceeds the population threshold for permit coverage.

**d) Estimated Population**

List the current estimated population served by the MS4. This number will not be used to determine the Levels.

**e) Coalitions of MS4 entities**

Indicate if the MS4 is part of a coalition that share efforts in meeting any or all of the SWMP requirements.

**f) Members of the Coalition**

List the name of each member of the coalition *and* their unique Phase II MS4 authorization number.

**g) Annual Reporting Year**

The annual report must address the previous reporting year. The selected reporting year cannot be changed during the permit term.

- If the MS4 selects the calendar year, then the reporting year is from January 1 through December 31 of each year.
- If the MS4 selects the Phase II MS4 General Permit year, the reporting year is from the effective date of the general permit plus 365 days of each year.
- If the MS4 selects the fiscal year, the reporting year is from the first day of the MS4's fiscal year through the last day of the MS4's fiscal year. Provide the month and last day of the MS4's fiscal year.

**h) SWMP**

1. Certify, by selecting Yes, that the SWMP has been developed in accordance with the general permit requirements and is attached to this NOI.
2. Certify, by selecting Yes, that the SWMP Cover Sheet has been completed and is attached to the front of the SWMP.
3. If the MS4 was previously authorized under the general permit, the program elements in the previous SWMP must be re-assessed and modified. Additionally, new program elements must be developed. Do not submit the exact same SWMP that was previously submitted. Indicate that you have revised the previous SWMP, or that this is a newly regulated MS4.
4. Indicate if the MS4 is seeking coverage under this general permit for the optional MCM 7 for municipal construction activities where the MS4 meets the definition of "construction site operator".  
If Yes, the SWMP must include the geographic area or boundary where MCM 7 will be implemented. If this area extends beyond the geographic area or boundary of the urbanized area, then all MCMs 1-7 must be implemented in the urbanized and non-urbanized areas. The MS4 operator can utilize MCM 7 only in areas that are in compliance with the SWMP's MCMs 1-7. If you do **NOT** incorporate the entire SWMP (MCMs 1-7) in the urbanized and the non-urbanized areas, then the MS4 cannot utilize only MCM 7 outside of the urbanized area.

If No, the MS4 can obtain this coverage at any time during the general permit term by submitting a Notice of Change.

5. Provide the name and contact information of the designated person responsible for implementing or coordinating implementation of the SWMP.

**i) Discharge Information**

1. Provide the name of all waterbodies that receive discharges from the MS4. The discharge eventually reaches a receiving waterbody such as a local stream or lake, possibly via a drainage ditch or even through another MS4 prior to reaching the waterbody. Please note that this general permit does not grant permission to use another MS4 as a conveyance of stormwater and certain non-storm water discharges along the discharge route.
2. Identify the classified segment number(s) that will eventually receive the

discharge. You can find classified segment numbers in the Atlas of Texas Surface Waters at: [www.tceq.texas.gov/publications/gi/gi-316](http://www.tceq.texas.gov/publications/gi/gi-316) or the Surface Water Quality (Segments) Viewer at: <https://www.tceq.texas.gov/gis/segments-viewer>

Indicate if the discharge is directly into the classified segment or if it reaches the classified segment after being discharged into another waterbody or MS4.

3. Indicate if any waterbodies receiving discharges are identified as impaired waters (Category 4 or 5) in the *Texas Integrated Report of Surface Water Quality*, which is available at:

[http://www.tceq.texas.gov/waterquality/assessment/305\\_303.html](http://www.tceq.texas.gov/waterquality/assessment/305_303.html).

If Yes, provide the name(s) of the impaired waterbodies and the pollutants of concern for those waterbodies. The pollutants of concern are the parameters for which the waterbody is impaired.

4. Indicate if the impaired waterbody has a TMDL and list the pollutants with a TMDL (Category 4 waterbody).
5. Indicate if the discharge is into any other MS4 entity's jurisdiction prior to reaching water in the state.

If Yes, provide the name of the MS4 operator that receives the discharge.

#### 6. Edwards Aquifer Rule

Indicate if the discharge or potential discharge is within the Recharge Zone, Contributing Zone, or Contributing Zone within the Transition Zone of the Edwards Aquifer. 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 at

<https://www.tceq.texas.gov/permitting/eapp/viewer.html>.

If Yes, additional requirements may exist under the Edwards Aquifer Protection Program (30 TAC Chapter 213). For activities regulated under 30 TAC Chapter 213, any required plans must be included in the SWMP. Compliance with any Edwards Aquifer requirements is in addition to the requirements of this general permit.

#### j) Public Participation

1. Provide the name and contact information of the person responsible for publishing the public notice in the newspaper.
2. Provide the name and location of a public place where copies of the NOI, SWMP, General Permit, and permit fact sheet will be available to the public for viewing. Examples of public places include public libraries, city hall, municipal buildings, etc.
3. Provide the address for the website where the MS4's SWMP and annual report will be posted. Indicate if the MS4 does not have a website.

## Section 6. Certifications

Failure to indicate "Yes" to ALL of the certification items may result in denial of coverage under the general permit. The certification must bear an original signature of a person meeting the signatory requirements specified under 30 Texas Administrative Code §305.44.

**IF YOU ARE A CORPORATION:**

The regulation that controls who may sign an application form is 30 Texas Administrative Code §305.44(a), which is provided 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), which is provided 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 statutes 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 Texas Commission on Environmental Quality'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



TCEQ Use Only

# TCEQ Core Data Form

For detailed instructions regarding completion of this form, please read the Core Data Form Instructions or call 512-239-5175.

## SECTION I: General Information

1. Reason for Submission (If other is checked please describe in space provided.)		
<input type="checkbox"/> New Permit, Registration or Authorization (Core Data Form should be submitted with the program application.)		
<input checked="" type="checkbox"/> Renewal (Core Data Form should be submitted with the renewal form)		<input type="checkbox"/> Other
2. Customer Reference Number (if issued)	<a href="#">Follow this link to search for CN or RN numbers in Central Registry**</a>	3. Regulated Entity Reference Number (if issued)
CN 600335657		RN 105481279

## SECTION II: Customer Information

4. General Customer Information		5. Effective Date for Customer Information Updates (mm/dd/yyyy)	
<input type="checkbox"/> New Customer		<input checked="" type="checkbox"/> Update to Customer Information	
<input type="checkbox"/> Change in Legal Name (Verifiable with the Texas Secretary of State or Texas Comptroller of Public Accounts)		<input type="checkbox"/> Change in Regulated Entity Ownership	
<b>The Customer Name submitted here may be updated automatically based on what is current and active with the Texas Secretary of State (SOS) or Texas Comptroller of Public Accounts (CPA).</b>			
6. Customer Legal Name (If an individual, print last name first: eg: Doe, John)		If new Customer, enter previous Customer below:	
City of Tyler			
7. TX SOS/CPA Filing Number	8. TX State Tax ID (11 digits)	9. Federal Tax ID (9 digits)	10. DUNS Number (if applicable)
		75-6000697	
11. Type of Customer:		Partnership: <input type="checkbox"/> General <input type="checkbox"/> Limited	
<input type="checkbox"/> Corporation		<input type="checkbox"/> Individual	
Government: <input checked="" type="checkbox"/> City <input type="checkbox"/> County <input type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> Other		<input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Other:	
12. Number of Employees		13. Independently Owned and Operated?	
<input type="checkbox"/> 0-20 <input type="checkbox"/> 21-100 <input type="checkbox"/> 101-250 <input type="checkbox"/> 251-500 <input checked="" type="checkbox"/> 501 and higher		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
14. Customer Role (Proposed or Actual) – as it relates to the Regulated Entity listed on this form. Please check one of the following:			
<input type="checkbox"/> Owner		<input type="checkbox"/> Operator	
<input type="checkbox"/> Occupational Licensee		<input type="checkbox"/> Responsible Party	
<input type="checkbox"/> Owner & Operator		<input type="checkbox"/> Voluntary Cleanup Applicant	
		<input checked="" type="checkbox"/> Other: Municipality	
15. Mailing Address:			
511 W Locust St			
City	Tyler	State	TX
ZIP	75702	ZIP + 4	
16. Country Mailing Information (if outside USA)		17. E-Mail Address (if applicable)	
		pneuhaus@tylertexas.com	
18. Telephone Number		19. Extension or Code	20. Fax Number (if applicable)
( 903 ) 531-1085			( ) -

## SECTION III: Regulated Entity Information

21. General Regulated Entity Information (If 'New Regulated Entity' is selected below this form should be accompanied by a permit application)		
<input type="checkbox"/> New Regulated Entity <input type="checkbox"/> Update to Regulated Entity Name <input checked="" type="checkbox"/> Update to Regulated Entity Information		
<b>The Regulated Entity Name submitted may be updated in order to meet TCEQ Agency Data Standards (removal of organizational endings such as Inc, LP, or LLC.)</b>		
22. Regulated Entity Name (Enter name of the site where the regulated action is taking place.)		

23. Street Address of the Regulated Entity: <i>(No PO Boxes)</i>	511 W Locust St						
	City	Tyler	State	TX	ZIP	75702	ZIP + 4
24. County							

Enter Physical Location Description if no street address is provided.

25. Description to Physical Location:							
26. Nearest City					State	Nearest ZIP Code	
27. Latitude (N) In Decimal:	32.3032N			28. Longitude (W) In Decimal:	95.2945W		
Degrees	Minutes	Seconds	Degrees	Minutes	Seconds		
29. Primary SIC Code (4 digits)	30. Secondary SIC Code (4 digits)		31. Primary NAICS Code (5 or 6 digits)		32. Secondary NAICS Code (5 or 6 digits)		
9111							
33. What is the Primary Business of this entity? <i>(Do not repeat the SIC or NAICS description.)</i>							
City Government							
34. Mailing Address:	511 W Locust St						
	City	Tyler	State	TX	ZIP	75702	ZIP + 4
35. E-Mail Address:		pneuhaus@tylertexas.com					
36. Telephone Number		37. Extension or Code		38. Fax Number <i>(if applicable)</i>			
( 903 ) 531-1085				( ) -			

39. TCEQ Programs and ID Numbers Check all Programs and write in the permits/registration numbers that will be affected by the updates submitted on this form. See the Core Data Form instructions for additional guidance.


<input type="checkbox"/> Dam Safety	<input type="checkbox"/> Districts	<input type="checkbox"/> Edwards Aquifer	<input type="checkbox"/> Emissions Inventory Air	<input type="checkbox"/> Industrial Hazardous Waste
<input type="checkbox"/> Municipal Solid Waste	<input type="checkbox"/> New Source Review Air	<input type="checkbox"/> OSSF	<input type="checkbox"/> Petroleum Storage Tank	<input type="checkbox"/> PWS
<input type="checkbox"/> Sludge	<input checked="" type="checkbox"/> Storm Water	<input type="checkbox"/> Title V Air	<input type="checkbox"/> Tires	<input type="checkbox"/> Used Oil
	TXR040041			
<input type="checkbox"/> Voluntary Cleanup	<input type="checkbox"/> Waste Water	<input type="checkbox"/> Wastewater Agriculture	<input type="checkbox"/> Water Rights	<input type="checkbox"/> Other:

**SECTION IV: Preparer Information**

40. Name:	Paul Neuhaus			41. Title:	Environmental Comp. Engineer		
42. Telephone Number	43. Ext./Code	44. Fax Number	45. E-Mail Address				
( 903 ) 531-1085		( ) -	pneuhaus@tylertexas.com				

**SECTION V: Authorized Signature**

46. By my signature below, I certify, to the best of my knowledge, that the information provided in this form is true and complete, and that I have signature authority to submit this form on behalf of the entity specified in Section II, Field 6 and/or as required for the updates to the ID numbers identified in field 39.

Company:	City of Tyler		Job Title:	City Manager			
Name (In Print):	Edward Broussard			Phone:	( 903 ) 531-1250		
Signature:				Date:	07/10/2019		

*PJ* 

**Appendix F**  
**Notice of Change (NOC) Form(s)**



## **Appendix G**

### **General Permit (GP) to Discharge Under the Texas Pollutant Discharge Elimination System (TPDES) for Stormwater Discharges from Phase II (Small) Municipal Separate Storm Sewer Systems (MS4s) TXR040000**