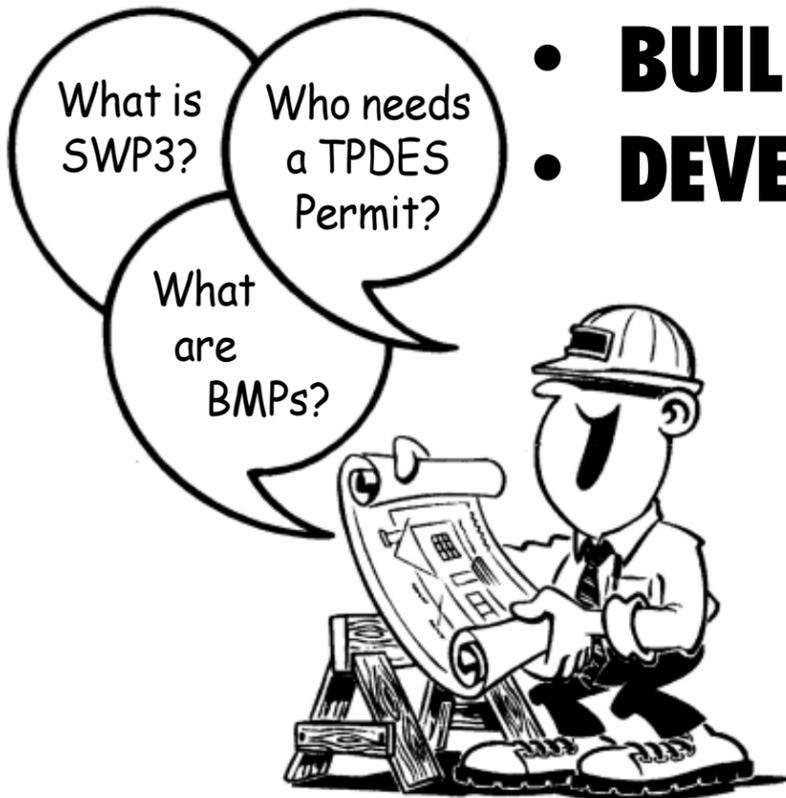




# ATTENTION!

- **CONTRACTORS**
- **BUILDERS**
- **DEVELOPERS**



### **Construction Activities could be:**

- **GRADING**
- **EXCAVATION**
- **PAVING**
- **UTILITY INSTALLATION**
- **SITE DEVELOPMENT**
- **BUILDING CONSTRUCTION**



## Community Development Department

### REGULATIONS AFFECTING CONSTRUCTION ACTIVITY IN CITY OF SACHSE MS4 PHASE II OPERATOR



On August 13, 2007, the Texas Commission on Environmental Quality (TCEQ) issued a General Phase II Permit to Discharge Waste from construction sites, under the Texas Pollution Discharge Elimination System (TPDES). This permit applies to **storm water and other discharges** from all construction sites that will disturb one or more acres of land. Under the Phase II storm water regulations affecting small municipalities, Sachse is required to develop and implement a program to reduce pollutants in storm water from construction activities disturbing one or more acres of land. As part of our program, Sachse is requiring construction operators of sites located in the City of Sachse, to comply with the requirement of the TPDES construction permits (TXR150000 & TXR040000). The following is a brief of those requirements.

- ▶ The TPDES permit separates construction site into two categories: **large construction sites** that will disturb (by itself or as part of a common plan of development) 5 or more acres of land; and **small construction sites** that will disturb (alone or as part of a common plan of development) between 1 and 5 acres of land. Construction is defined as the exposure of soil resulting from activities such as clearing, grading, or excavating (e.g., stockpiling of fill material, demolition).
- ▶ To obtain permit coverage, **large construction site:**
  - Must submit to the TCEQ a Notice of Intent (NOI) with an application fee, at least 2 days prior to commencing construction activities;
  - Must develop and implement a **Storm Water Pollution Prevention Plan (SWP3)** for the construction site before submitting the NOI;
  - Must post a copy of the NOI/Construction Site Notice at the construction site for public viewing and;
  - Must provide a copy of the NOI and SWP3 to the City of Sachse, at least 2 days prior to commencing construction activities.
- ▶ To obtain permit coverage, **small construction site:**
  - Must develop and implement a Storm Water Pollution Prevention Plan (SWP3)
  - Must post a signed copy of the TCEQ **Construction Site Notice** at the construction site for public viewing and;
  - Must provide a copy of the signed Construction Site Notice and SWP3 to the City of Sachse, at least 2 days prior to commencing construction activities.
  - **Small construction sites are not required to submit a NOI nor pay the fee.**
- ▶ The SWP3 is a **LIVING DOCUMENT** and it must reflect the changes in the site. Any modifications in the site must be documented in the SWP3.
- ▶ The SWP3 must identify and address all potential sources of pollution at the site, and describe and ensure implementation practices that will be used to reduce pollutants in storm water discharges from the site. It is recommended that you prepare your SWPPP following the guidelines found in the iSWM (integrated Storm Water Management) Design Manual for Construction Controls (<http://www.iswm.nctcog.org/index.asp>). If you have any question about the TCEQ Storm Water Program, please visit the website at (<http://www.tceq.texas.gov/permitting/stormwater>).

## EROSION AND POLLUTION CONTROLS

- ▶ Control measures such as silt fences, inlet protection, etc., must be working properly and maintained in effective operating condition. Not all devices will work everywhere; control measures must be properly selected, installed, and maintained according to the manufacturer's or designer's specification. **You are responsible** for cleaning and replacing any device as necessary. Inlet protection must be inspected regularly and cleaned where sediment has covered the fabric. Silt fences that have fallen or are damaged in any other way must be replaced immediately. **Using only qualified personnel** to install your control measures will save you troubles in the long run.
- ▶ **You are responsible for** all of the waste generated at your construction site. All waste must be placed in a trash container at all times. If your waste is deposited or blown into a creek or any other area outside your site, you are responsible for cleaning it immediately. Both onsite and offsite material storage areas and appropriate housekeeping practices must be included in your SWP3. If you are using a nearby lot for storage of materials, you are responsible for maintaining the sediment controls on that lot, even if the lot is not your own.
- ▶ You should preserve existing vegetation when possible, and must stabilize any disturbed area where construction activity has temporarily or permanently ceased. The stabilization must take place within 14 days of the end of activities unless construction will resume within 21 days. You have several options to accomplish temporary stabilization including revegetation, sod stabilization, mulching, geotextile fabric and others. You must make sure that the method you are using is effective; **stabilization is not the mere application of grass seed!**
- ▶ **You are required** to minimize offsite vehicle tracking of sediments and the generation of dust, including those caused by your contractors and suppliers.
- ▶ **You** (or other qualified personnel) **are required** to inspect the site and erosion and sediment controls at a frequency specified by the permit. The SWP3 must be modified based on the results of inspections.
- ▶ If at any time the City determines that the SWP3 is not being fully implemented, the City may similarly deny approval of any building permit, grading permit, subdivision plat, site development plan or any other City approval necessary to commence or continue construction, or to assume occupancy, at the site.

**Operator** - The person or persons associated with a large or small construction activity that is either a primary or secondary operator as defined below:

**Primary Operator** – The person or persons associated with a large or small construction activity that meets either of the following two criteria:

- (a) the person or persons have on-site operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications; or
- (b) the person or persons have day-to-day operational control of those activities at a construction site that are necessary to ensure compliance with a Storm Water Pollution Prevention Plan (SWP3) for the site or other permit conditions (for example, they are authorized to direct workers at a site to carry out activities required by the SWP3 or comply with other permit conditions).

**Secondary Operator** – The person or entity, often the property owner, whose operational control is limited to:

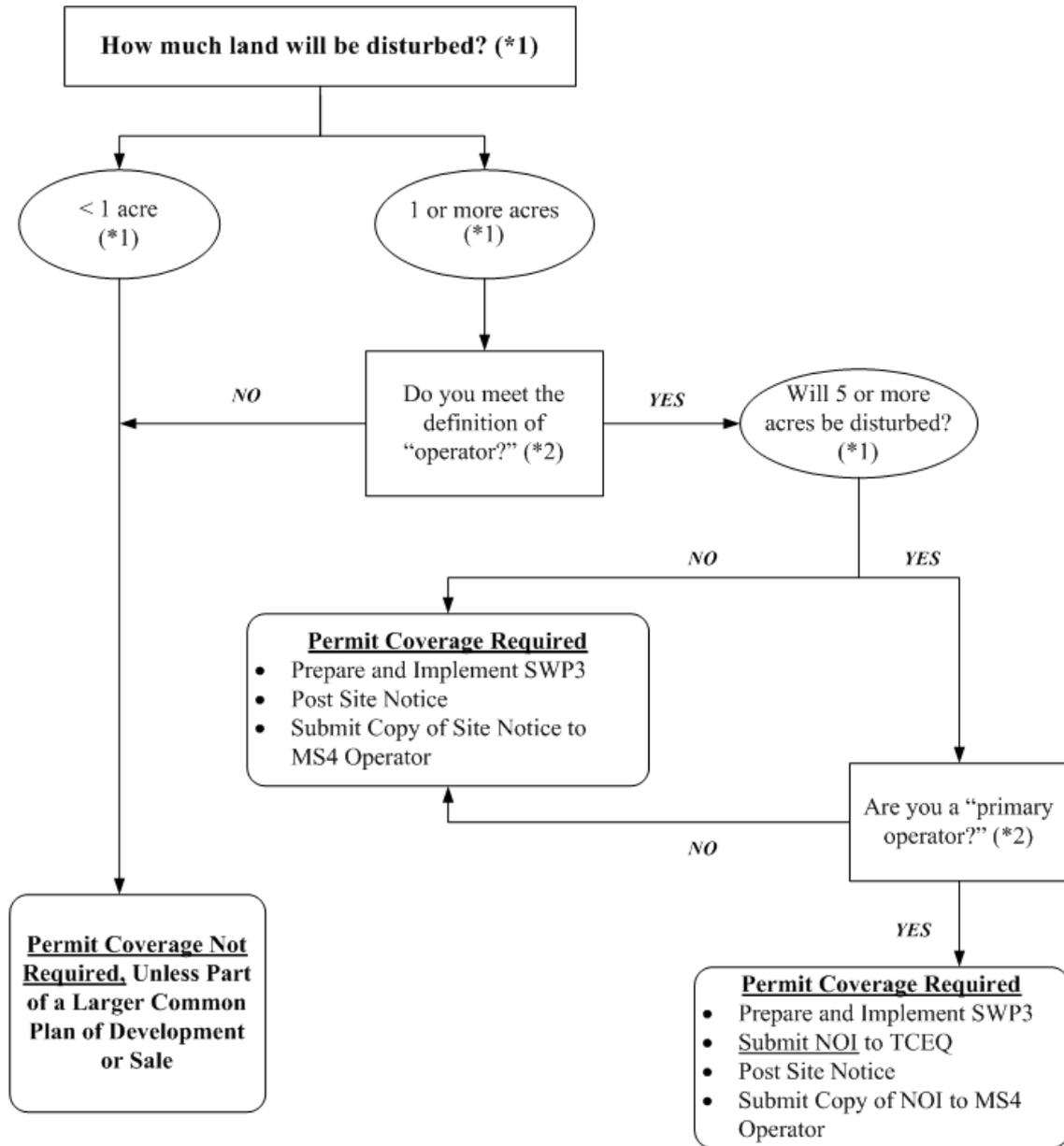
- (a) the employment of other operators, such as a general contractor, to perform or supervise construction activities; or
- (b) the ability to approve or disapprove changes to construction plans and specifications, but who does not have day-to-day on-site operational control over construction activities at the site.

Secondary operators must either prepare their own SWP3 or participate in a shared SWP3 that covers the areas of the construction site where they have control over the plans and specifications.

If there is not a primary operator at the construction site, then the secondary operator is defined as the primary operator and must comply with the requirements for primary operators.

**Part I. Flow Chart and Definitions**

**Section A. Flow Chart to Determine Whether Coverage is Required**



(\*1) To determine the size of the construction project, use the size of the entire area to be disturbed, and include the size of the larger common plan of development or sale, if the project is part of a larger project (refer to Part I.B., "Definitions," for an explanation of "common plan of development or sale").

(\*2) Refer to the definitions for "operator," "primary operator," and "secondary operator" in Part I., Section B. of this permit.