

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF A PROPOSED AMENDMENT WITHOUT RENEWAL OF GENERAL PERMIT TXR050000 AUTHORIZING THE DISCHARGE OF STORMWATER ASSOCIATED WITH INDUSTRIAL ACTIVITIES

The Texas Commission on Environmental Quality (TCEQ or commission) is proposing to amend without renewal Texas Pollutant Discharge Elimination System General Permit TXR050000. This general permit authorizes the discharges of stormwater associated with industrial activity and certain non-stormwater discharges into surface water in the state. This general permit applies to the entire state of Texas. General permits are authorized by Texas Water Code §26.040.

PROPOSED GENERAL PERMIT. The executive director has prepared a draft general permit amendment of an existing general permit that authorizes the discharges of stormwater and certain non-stormwater discharges from industrial activities into surface water in the state. The amendment would prohibit quarries located in the new Coke Stevenson Scenic Riverway from obtaining stormwater coverage under the general permit, in accordance with House Bill (HB) 1688 from the 88th Regular Legislative Session. The amendment would also implement HB 2771 from the 86th Regular Legislative Session by expanding permit applicability to include non-exempt stormwater discharges into surface water in the state from oil and gas activities associated with oil and gas exploration, production, processing, or treatment, or transmission facilities.

The general permit specifies which facilities must obtain permit coverage, which are eligible for a conditional exclusion based on a certification of no-exposure of the industrial activity to stormwater, which are designated as eligible for coverage without submitting a Notice of Intent, and which must obtain individual permit coverage. Non-stormwater discharges that are not specifically listed in the general permit are not authorized by the general permit. No significant degradation of high-quality waters is expected and existing uses will be maintained and protected.

The executive director has reviewed this action for consistency with the goals and policies of the Texas Coastal Management Program (CMP) according to General Land Office regulations and has determined that the action is consistent with applicable CMP goals and policies.

On the date that this notice is published, a copy of the draft general permit and fact sheet will be available for a minimum of 30 days for viewing and copying at the TCEQ Office of the Chief Clerk located at the TCEQ Austin office, at 12100 Park 35 Circle, Building F. These documents will also be available at the TCEQ's 16 regional offices and on the TCEQ website at <https://www.tceq.texas.gov/permitting/stormwater/industrial>.

PUBLIC COMMENT AND PUBLIC MEETING. You may submit public comments on this proposed general permit in writing or request a public meeting about this proposed

general permit. The purpose of a public meeting is to provide the opportunity to submit written or oral comments or to ask questions about the proposed general permit. Generally, the TCEQ will hold a public meeting if the executive director determines that there is a significant degree of public interest in the proposed general permit or if requested by a state legislator. A public meeting is not a contested case hearing.

Written public comments must be received by the Office of the Chief Clerk, MC 105, TCEQ, PO Box 13087, Austin, TX 78711-3087 or electronically at <https://www14.tceq.texas.gov/epic/eComment/> within 30 days from the date this notice is published.

ALTERNATIVE LANGUAGE NOTICE. Alternative language notice in Spanish is available at <https://www.tceq.texas.gov/permitting/stormwater/industrial>. El aviso de idioma alternativo en español está disponible en <https://www.tceq.texas.gov/permitting/stormwater/industrial>.

APPROVAL PROCESS. After the comment period, the executive director will consider all the public comments and prepare a written response. The response will be filed with the TCEQ Office of the Chief Clerk at least 10 days before the scheduled commission meeting when the commission will consider approval of the general permit. The commission will consider all public comment in making its decision and will either adopt the executive director's response or prepare its own response to the comments. The commission will issue its written response on the general permit at the same time the commission issues or denies the general permit. A copy of any issued general permit and response to comments will be made available to the public for inspection at the agency's Austin office. A notice of the commissioners' action on the proposed general permit and information on how to access the response to comments will be mailed to each person who submitted a comment. Also, a notice of the commission's action on the proposed general permit and the text of its response to comments will be published in the *Texas Register*.

MAILING LISTS. In addition to submitting public comments, you may ask to be placed on a mailing list to receive future public notices mailed by the TCEQ Office of the Chief Clerk. You may request to be added to: 1) the mailing list for this specific general permit; 2) the permanent mailing list for a specific county; or 3) both. Clearly specify the mailing lists to which you wish to be added and send your request to the TCEQ Office of the Chief Clerk at the address previously mentioned. Unless you otherwise specify, you will be included only on the mailing list for this specific general permit.

INFORMATION. If you need more information about this general permit or the permitting process, please call the TCEQ Public Education Program, toll free, at 1-800-687-4040. General information about the TCEQ can be found at our website at: <https://www.tceq.texas.gov>.

Further information may also be obtained by calling the TCEQ's Stormwater Team in the Water Quality Division, at 512-239-4671.

Si desea información en español, puede llamar 1-800-687-4040.

Issued: October 11, 2024