



Phase II (Small) MS4 Annual Report Requirements and Template TPDES General Permit Number TXR040000

Within 90 days of the end of each reporting year, operators of regulated Phase II Municipal Separate Storm Sewer Systems shall submit a concise annual report to the Texas Commission on Environmental Quality. The reporting year may include either the permit year, the permittee's fiscal year or the calendar year, as elected by the small MS4 and notified to the TCEQ in the application submittal and remain consistent throughout the permit term. The annual report must address the previous reporting year. If two or more MS4s share a common SWMP, all permittees must contribute to a system-wide annual report. Each permittee must sign and certify the annual report in accordance with 30 TAC §305.128 (relating to Signatories to Reports).

Report Content

Refer to Part IV Section B.2 of the MS4 General Permit TXR040000 for annual report requirements.

Submit the annual report with a cover letter to ensure that the report reaches the Stormwater & Pretreatment Team. See cover letter template (Example 5) of the instructions. The annual report must be submitted to the following address:

Texas Commission on Environmental Quality
Team Leader
Stormwater & Pretreatment Team; MC-148
P.O. Box 13087
Austin, Texas 78711-3087

Note: An annual report must be submitted even if the SWMP has not yet been approved by the TCEQ.

A. General Information

1. Provide the:
 - assigned authorization number TXR040{XXX}

- reporting year (1, 2, 3, 4, or 5)
- reporting option selected (i.e. calendar year, permit year or fiscal year with last day of fiscal year (MM/DD))
- beginning and end dates (MM/DD/YYYY to MM/DD/YYYY) of the annual reporting period
- MS4 operator level:
 - traditional small MS4s – level is based on the population served within the 2010 Urbanized Area (See Part II Section 5 of TXR040000 to determine MS4 level),
 - Non-traditional small MS4s – *all* non-traditional small MS4s are categorized as *Level 2* regardless of population served within the Urbanized Area. These include counties, drainage districts, transportation entities, military bases, universities, colleges, correctional institutions, municipal utility districts and other special districts
- name of the permittee (owner/operator of the MS4, i.e. municipality, water district, etc.),
- name, telephone number, mailing address and e-mail address for the appropriate contact person

Note: A copy of the annual report must be submitted to the TCEQ regional office.

B. Status of Compliance with the MS4 GP and SWMP

The purpose of the annual report is to inform TCEQ of the status of compliance with permit conditions and the approved SWMP – including, the appropriateness of each best management practice (BMP) and the progress towards achieving the measurable goals for each BMP utilized or implemented during the reporting year. Please model the reported information after the examples provided.

1. The report must include the status of compliance with permit conditions according to Part IV and V of the permit. Include compliance with the TCEQ approved SWMP, compliance with record keeping and reporting requirements, and compliance with permit eligibility requirements.
2. Each MS4 is required to assess the appropriateness of each BMP in reducing the discharge of pollutants to the maximum extent practicable (MEP). Provide a detailed assessment of the appropriateness of the selected BMPs, including whether any of the selected BMPs are not appropriate. This information may be included in a tabular format as provided in the form (**See Example 1 – BMP Status**).
3. Describe progress towards reducing the discharge of pollutants. Summarize any information used to evaluate reductions in the discharge of pollutants to the MEP.

This information may be included in a tabular format as provided in the form. **(See Example 2 – Pollutant Reduction Analysis).**

4. Provide an assessment of the appropriateness of the implementation of the measurable goals of each minimum control measure (MCM) and an evaluation of the success of implementation, including any obstacles or challenges in meeting the SWMP schedule, etc. **(See Example 3 – Measurable Goals Status).**

C. Stormwater Data Summary

Indicate whether the MS4 has conducted monitoring of stormwater quality, including analytical data and visual observations. Provide a summary of the results of 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.

D. Impaired Waterbodies and Total Maximum Daily Loads

If the receiving water body is listed as impaired in the latest Clean Water Act 303(d) list or has an approved TMDL in the most recently approved **Texas Integrated Report Index of Water Quality Impairments**, refer to Part II Section D of general permit TXR040000 for additional information about limitations on permit coverage, compliance with water quality standards, TMDL compliance requirements and prohibited discharges (Edwards Aquifer Recharge Zone, specific watersheds, etc.).

Impaired waters are those that do not meet applicable water quality standards and are listed in the latest Clean Water Act 303(d) list or in the latest Texas Integrated Report Index of Water Quality Impairments. Pollutants of concern are those for which the water body is listed as impaired or has an approved TMDL. New sources or new discharges of the pollutant(s) of concern to impaired waters are not authorized by the permit unless otherwise allowable under 30 TAC Chapter 305 and applicable state law.

To determine if your receiving water has been listed as impaired, refer to the most recent **Texas Integrated Report Index of Water Quality Impairments** on the TCEQ website at < [Texas List of Impaired Waters](#) >.

- Index of All Impaired Waters

Categories 4 and 5 together comprise the list of all impaired waters. Category 4 includes impaired waters for which TMDLs have already been adopted, or for which other management strategies are underway to improve water quality. Category 5 of the Integrated Report comprises the 303(d) List.

A TMDL is the maximum amount of a water quality contaminant that can be discharged into a body of surface water on a daily basis without causing an exceedance of surface water quality standards. For more information about TMDLs go to: < [TMDL Program](#) >.

For specific information on segments with TMDLs adopted by the Commission go to:
< [Segments with TMDLs](#) >.

Note: Discharges of pollutant(s) of concern to impaired water bodies for which there is a TMDL implementation plan (I-Plan) are not eligible for coverage under this general permit unless they are consistent with the approved TMDL and the I-Plan. In order to be eligible for permit coverage, MS4 operators must incorporate into their SWMP the limitations, conditions, and requirements applicable to their discharges, including monitoring frequency and reporting as required by the TCEQ rules. For discharges not eligible for coverage under this general permit, the discharger must apply for and receive an individual TPDES permit.

1. If applicable, explain in the worksheets any activities taken to address the discharge to impaired waterbodies, including any in-stream or outfall sampling results or other available data (include the source of the data) and a summary of the small MS4's BMPs used to address the pollutant of concern. Data may be acquired from TCEQ, local river authorities, partnerships, and/or other local efforts as appropriate.
2. Indicate information about implementing targeted controls.
3. Report the benchmark and assessment activities. Annual reports should include the benchmark and the year(s) during the permit term that the MS4 conducted additional sampling or other assessment activities.
4. Add an analysis of how the selected BMPs will be effective in contributing to achieving the benchmark.
5. Include focused BMPs to address impairment for bacteria. If the impairment is for bacteria refer to Part II.D.4. (5) of General Permit TXR040000.
6. Assess progress in achieving the benchmark.

E. Stormwater activities next reporting year

Describe any stormwater activities the MS4 operator has planned for the next reporting year. You may use the table provided.

F. SWMP Modifications and Additional Information

1. If changes have been made or are proposed to the SWMP, those modifications must be addressed in the annual report as required in Part IV Section B.2 of the

permit. If the TCEQ has notified you in writing that changes to the SWMP are necessary, those changes must be included in the report. Be sure to provide the following information in the explanation (**See Example 4 – SWMP Modifications**):

- i. Describe changes made to or proposed for the SWMP during the reporting year, including changes to BMPs, measurable goals, dates, contacts, procedures or details during the permit year.
- ii. If changes include additions or substitutions of BMPs, include a written analysis explaining why the original BMP is ineffective or not feasible and why the replacement BMP is expected to achieve the goals of the original BMP.

Note: A Notice of Change (NOC) is required if revisions are proposed to a SWMP that has already been approved by the TCEQ. If the initial SWMP has not been approved, submit a letter describing the change(s) so that information may be considered during the SWMP review process. If an NOC is required, it must be submitted separately to the address shown on the NOC form. **If an NOC is required, it must be submitted separately to the address shown on the NOC form. Do not attach the NOC form to this report.**

G. Additional BMPs

Provide a description and schedule for implementation of additional BMPs that may be necessary, based on monitoring results, to ensure compliance with applicable TMDLs and implementation plans.

H. Additional Information

1. Indicate if the MS4 is relying on another entity to satisfy some of the permit obligations. Include the name of the other entity and an explanation of the elements of the SWMP that the entity is responsible for implementing. A description of the agreement or written documentation of the agreement must be included in the SWMP.
2. If permittees share a common SWMP, list all associated authorization numbers, permittee names, and SWMP responsibilities of each permittee. Add more spaces or pages if needed.
3. Indicate if this is a system-wide annual report including information for all permittees. If "Yes," all represented permittees must sign the report in accordance with signatory requirements. The regulation governing who may sign an application form is at 30 Texas Administrative Code (TAC) §305.128.

I. Construction Activities

1. Provide the number of construction activities that occurred in the jurisdictional area of the MS4 where the permittee was not the construction site operator (as provided in submittals to the MS4 operator via notices of intent and site notices received).
2. Does the permittee utilize the seventh MCM related to construction? To answer "Yes," this must have been requested on the Notice of Intent (NOI) or on an NOC and approved by the TCEQ.
 - If "Yes," then provide information about the number of municipal construction activities authorized under this general permit during the reporting period and the total number of acres disturbed for municipal construction projects.

J. Certification

The annual report must be signed by a principal executive officer or ranking elected official, or by a duly authorized representative as referenced in 30 TAC §305.128. The Delegation of Signatories to Reports (TCEQ Form 20403) can be located by visiting TCEQ's < [FORMS](#) > Web page and entering the form number.

For shared SWMPs, it would be acceptable to submit separate signature pages for each operator participating in the shared SWMP along with one copy of the system-wide annual report.

All certification page must an original, wet ink signature. Photocopies, scanned pages, and electronic signatures cannot be accepted.

Example 1– BMP Status

MCM(s)	BMP	BMP is appropriate for reducing the discharge of pollutants in stormwater (Answer Yes or No, and explain.)
2: Illicit Discharge Detection and Elimination	Map all outfalls and all water bodies receiving discharges from the MS4.	Yes, identified 10 new sources and eliminated 2.
2: Illicit Discharge Detection and Elimination	Perform field screening of outfalls.	Yes, there was an increase in illegal discharge detection through screening.
3/4: Construction Site Control and Post-Construction Site Control	Implement stormwater ordinance for construction and post-construction runoff control	Yes, there were reductions in sanitary sewer overflows (SSOs).
5: Pollution Prevention & Good Housekeeping for Municipal Operations	Train all public works and streets staff	Yes, conducted 5 educational opportunities for staff.
6. Industrial stormwater sources – if applicable	Inspect industrial facilities	Yes, there was a decrease in illegal dumping into water bodies.

Example 2 - Pollutant Reduction Analysis

MCM	BMP	Information Used	Quantity	Units	Does BMP Demonstrate a Direct Reduction in Pollutants? (Answer Yes or No, and explain.)
1	1.1 Public Education	Utility bill stuffers	300	Brochures	No. Though this BMP does not result in a direct reduction of pollutants, educating the citizens will eventually reduce litter, hence pollutants
2	2.4 Dry weather screening	Outfalls	20	Inspections	Yes. When illicit discharges are observed, immediate action can be taken to remove the pollutant and track the source
3	3.3 Construction site inspection	Construction sites	5	Inspections	Yes. By inspecting the contractor owned construction sites, we can evaluate if proper BMPs are in place to reduce sediment discharge and erosion
4	4.8 Construction Plan Review	Plans	5	Reviews	No. The reduction in pollutants will be reduced over time as the permanent post construction BMPs are utilized

Example 3 – Measurable Goals Status

MCM	Measurable Goal(s)	Explain progress toward goal or how goal was achieved
1	Provide utility bill inserts to each utility customer at least once each year.	Met goal – mailed 86,192 inserts with March monthly utility bill

MCM	Measurable Goal(s)	Explain progress toward goal or how goal was achieved
1	Conduct one public meeting or city-wide cleanup day each year.	Exceeded goal: conducted one public meeting and two cleanup days.
2	Map 25% of outfalls and 50% of receiving waters during Year 1 (same as milestone)	Met goal – mapped 20 outfalls out of 80 and 3 of 5 receiving waters
3	Perform site inspections of 25% of all active construction sites.	Did not meet goal. Number of construction sites in city was far above normal for the year. Inspected 20% - 137 out of 548.
3	Respond to 100% of construction complaints received.	Met goal – responded to 193 of 193 construction activity complaints
4	Review all site plans submitted for new development projects.	Met goal – reviewed 127 of 127 site plans submitted
5	Sweep 50% of roads each year.	Exceeded goal – swept 80% of all city streets
6	Inspect 5 industrial facilities	Met goal – inspected 5 industrial facilities
	Send two employees each year to a stormwater training workshop.	Met goal – two employees attended stormwater training this year

Example 4- SWMP Modification

MCM(s)	Measurable Goal(s) or BMP(s)	Implemented or Proposed Changes (Submit NOC as needed)
3	Measurable Goal - Perform site inspections of 25% of all active construction sites.	Revise goal to perform site inspections of 25% of all active construction sites, or a minimum of 50 sites per year. Submitted separate NOC on 3/14/2015

5	Measurable Goal- Update inventory list quarterly	Revised Goal – Update inventory list annually. Submitted separate NOC on 3/14/2015
1	BMP 1.8	Change the implementation schedule from January 2015 to completion in May 2015 due to staff changes. Submitted Separate NOC on 01/05/2015.
2	BMP 2.4	Delete ineffective BMP – Dye Testing and replace with effective BMP- Smoke testing to identify sanitary sewer system leaks. Submitted separate NOC on 06/12/2015

Example 5 – Cover Letter Template (Submit on letterhead. Add the mail date of the letter and report. Identify the MS4 name and authorization number. Include the TCEQ region number where the MS4 sent a copy of the annual report. Include the name(s) and authorization number(s) of other MS4s contributing to the SWMP if applicable.)

Letterhead

{Date of Letter}

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

Re: Phase II MS4 Annual Report Transmittal for {Name of Small MS4}
TPDES Authorization: TXR040 {include MS4's unique 3 digit authorization number}

Dear Team Leader:

This letter serves to transmit the required annual report for the Texas Pollutant Discharge Elimination System Small Municipal Separate Storm Sewer System General Permit, Authorization Number TXR040{XXX} for the {name of the Small MS4}.

The annual report is for Year_____ (select the appropriate number 1, 2, 3, 4, or 5). The reporting period's beginning month/day/year and ending month/day/year.

A separate Notice of Change [has been / has not been / will be] submitted based on the fact that changes [have been / have not been] proposed for the next permit year. The Notice of Change was submitted to TCEQ's Applications Review and Processing Team (MC-148 by: (Select the addressed used)

BY REGULAR U.S. MAIL:

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

BY OVERNIGHT/EXPRESS MAIL:

Texas Commission on Environmental Quality
Applications Review and Processing Team (MC-148)
12100 Park 35 Circle
Austin, TX 78753

As required by the general permit, a copy of the report has been mailed to the TCEQ's regional office {number} in {city}, Texas.

Sincerely,

{Name and Title}

Phase II (Small) MS4 Annual Report Form

TPDES General Permit Number TXR040000

A. General Information

Authorization Number: TXR040{XXX}

Reporting Year (year will be either 1, 2, 3, 4, or 5): _____

Annual Reporting Year Option Selected by MS4:

Calendar Year _____

Permit Year _____

Fiscal Year: _____x_____ Last day of fiscal year: (09/30/2016)

Reporting period beginning date: (month/date/year) 10/01/2015

Reporting period end date (month/date/year) 09/30/2016

MS4 Operator Level: _____ Name of MS4: Town of Shady Shores

Contact Name: Wendy Withers Telephone Number: 940-206-7204

Mailing Address: _____

E-mail Address: _____

A copy of the annual report was submitted to the TCEQ Region YES___ NO___
Region the annual report was submitted. TCEQ Region _____

B. Status of Compliance with the MS4 GP and SWMP

1. Provide information on the status of complying with permit conditions:
(TXR040000 Part IV Section B.2.):

	Yes	No	Explain
Permittee is currently in compliance with the SWMP as submitted to and approved by the TCEQ.			
Permittee is currently in compliance with recordkeeping and reporting requirements.			

Permittee meets the eligibility requirements of the permit (e.g., TMDL requirements, Edwards Aquifer limitations, compliance history, etc.)			
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2. Provide a general assessment of the appropriateness of the selected BMPs. You may use the table below (See Example 1 in instructions):

MCM(s)	BMP	BMP is appropriate for reducing the discharge of pollutants in stormwater (Answer Yes or No, and explain.)

3. Describe progress towards reducing the discharge of pollutants to the maximum extent practicable. Summarize any information used (such as visual observation, amount of materials removed or prevented from entering the MS4, or if required monitoring data, etc.) to evaluate reductions in the discharge of pollutants. You may use the table (See Example 2 in instructions):

MCM	BMP	Information Used	Quantity	Units	Does the BMP Demonstrate a Direct Reduction in Pollutants? (Answer Yes or No, and explain.)

4. Provide the measurable goals for each of the MCMs, and an evaluation of the success of the implementation of the measurable goals (**See Example 3 in instructions**):

MCM(s)	Measurable Goal(s)	Explain progress toward goal or how goal was achieved If goal was not accomplished please explain

MCM(s)	Measurable Goal(s)	Explain progress toward goal or how goal was achieved If goal was not accomplished please explain

C. Stormwater Data Summary

Provide a summary of all information used including any lab results (if sampling was conducted) to assess the success of the SWMP at reducing the discharge of pollutants to the MEP. For example, did the MS4 conduct visual inspections, clean the inlets, look for illicit discharge, clean streets, look for flow during dry weather, etc.? (Refer to the MS4 General Permit TXR040000 Part IV Section B.2.(b))

D. Impaired Waterbodies

1. If applicable, explain below any activities taken to address the discharge to impaired waterbodies, including any sampling results and a summary of the small MS4's BMPs used to address the pollutant of concern: (Refer to MS4 General Permit TXR040000 Part IV Section B.2.(c))

2. Describe the implementation of targeted controls if the small MS4 discharges to an impaired water body with an approved TMDL (Refer to the MS4 General permit TXR040000; Part II Section D.4.(a)):

3. Report the benchmark identified by the MS4 and assessment activities (Refer to the MS4 General permit TXR040000; Part II Section D.4.(a)(6)):

Benchmark Parameter <i>(Ex: Total Suspended Solids)</i>	Benchmark Value	Description of additional sampling or other assessment activities	Year(s) conducted

4. Provide an analysis of how the selected BMPs will be effective in contributing to achieving the benchmark (Refer to the MS4 General permit TXR040000; Part II Section D.4.(a)(4)):

Benchmark Parameter	Selected BMP	Contribution to achieving Benchmark

5. If applicable, report on focused BMPs to address impairment for bacteria (Refer to the MS4 General Permit TXR040000; Part II Section D.4.(a)(5)):

Description of bacteria-focused BMP	Comments/Discussion

6. Assess the progress to determine BMP's effectiveness in achieving the benchmark (Refer to the MS4 General Permit TXR040000; Part II.D.4.(a)(6)):

For example, the MS4 may use the following benchmark indicators:

- number of sources identified or eliminated;
- decrease in number of illegal dumping;
- increase in illegal dumping reporting;
- number of educational opportunities conducted;
- reductions in sanitary sewer flows (SSOs)
- increase in illegal discharge detection through dry screening

Benchmark Indicator	Description/Comments

Benchmark Indicator	Description/Comments

E. Stormwater Activities

Describe stormwater activities the MS4 operator plans to undertake during the next reporting year. You may use the table below (Refer to the MS4 General Permit TXR040000 Part IV Section B.2.(d)):

MCM(s)	BMP	Stormwater Activity	Description/Comments

F. SWMP Modifications

1. Changes have been made or are proposed to the SWMP since the NOI or the last annual report, including changes in response to TCEQ's review.

____ Yes ____ No

If 'Yes', report on changes made to measurable goals and BMPs (Refer to the MS4 General Permit TXR040000 Part IV Section B.2.(e)):

MCM(s)	Measurable Goal(s) or BMP(s)	Implemented or Proposed Changes (Submit NOC as needed)

Note: If changes include additions or substitutions of BMPs, include a written analysis explaining why the original BMP is ineffective or not feasible and why the replacement BMP is expected to achieve the goals of the original BMP.

2. Explain additional changes or proposed changes not previously mentioned (i.e. dates, contacts, procedures, annexation of land etc.):

G. Additional BMPs for TMDLs and I-Plans

Provide a description and schedule for implementation of additional BMPs that may be necessary, based on monitoring results, to ensure compliance with applicable TMDLs and implementation plans (Refer to the MS4 General permit TXR040000 Part IV Section B.2.(f)).

BMP	Description	Implementation Schedule (Start Date etc.)	Status / Completion Date (completed, in progress, not started)

H. Additional Information

1. Is the permittee relying on another entity to satisfy some of its permit obligations? (refer to the MS4 General Permit TXR040000 Part IV Section B.2.(g))

Yes No

If 'Yes,' provide the name(s) of other entities and an explanation of their responsibilities (add more spaces or pages if needed):

Name and Explanation:

Name and Explanation:

Name and Explanation:

Name and Explanation:

2.a. Is the permittee part of a group sharing a SWMP with other entities?

___ Yes ___ No

2.b. If 'yes,' is this a system-wide annual report including information for all permittees?

___ Yes ___ No

If 'Yes,' list all associated authorization numbers, permittee names, and SWMP responsibilities of each member. (add additional spaces or pages if needed):

Authorization Number: _____ Permittee: _____

Authorization Number: _____ Permittee: _____

Authorization Number: _____ Permittee: _____

Authorization Number: _____ Permittee: _____

I. Construction Activities

1. The number of construction activities that occurred in the jurisdictional area of the MS4 (Notices if intent and site notices received; Refer to the MS4 General Permit TXR040000 Part IV Section B.2. (h)) _____

2a. Does the permittee utilize the optional 7th MCM related to construction?

___ Yes ___ No

2b. If 'yes,' then provide the following information for this permit year (refer to the MS4 General Permit TXR040000 Part IV Section B.2. (i)):

The number of municipal construction activities authorized under this general permit	
The total number of acres disturbed for municipal construction projects	

Note: Though the seventh MCM is optional, implementation must be requested on the NOI or on a NOC and approved by the TCEQ.

J. Certification

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 gathered and evaluated 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 that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name (printed): _____ Title: _____

Signature: _____ Date: _____

Name of MS4 _____

Name (printed): _____ Title: _____

Signature: _____ Date: _____

Name of MS4

Name (printed): _____ Title: _____

Signature: _____ Date: _____

Name of MS4

Name (printed): _____ Title: _____

Signature: _____ Date: _____

Name of MS4

Name (printed): _____ Title: _____

Signature: _____ Date: _____

Name of MS4

Note: If this is this a system-wide annual report including information for all permittees, each permittee shall sign and certify the annual report in accordance with 30 TAC §305.128 (relating to Signatories to Reports).