

**CITY OF UNIVERSAL CITY  
STORM WATER MANAGEMENT PROGRAM  
FOR COMPLIANCE WITH TXR040000**

Prepared for:

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## Acronyms and Abbreviations

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BMP	Best Management Practices
CFR	U.S. Code of Federal Regulations
CWA	Clean Water Act
EPA	Environmental Protection Agency
GIS	Geographic Information System
GPS	Global Positioning System
MCM	Minimum Control Measure
MEP	Maximum Extent Practicable
MS4	Municipal Separate Storm Sewer System
NOI	Notice of Intent
NPDES	National Pollutant Discharge Elimination System
O&M	Operation and Maintenance
SWMP	Storm Water Management Plan
TCEQ	Texas Commission on Environmental Quality
TAC	Texas Administrative Code
TDA	Texas Department of Agriculture
TMDL	Total Maximum Daily Load
TPDES	Texas Pollutant Discharge Elimination System

## 1.0 INTRODUCTION

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### 1.1 REGULATORY BACKGROUND

In 1972, Congress amended the Federal Water Pollution Control Act (commonly referred to as the Clean Water Act ["CWA"]) to prohibit the discharge of any pollutant to waters of the United States from a point source unless the discharge is authorized by an National Pollutant Discharge Elimination System ("NPDES") permit. The NPDES program is designed to track point sources and requires the implementation of controls necessary to minimize the discharge of pollutants.

In 1987, Congress amended the CWA to require implementation, in two phases, of a comprehensive national program for addressing storm water discharges. The first phase of the program, commonly referred to as "Phase I," was promulgated by the U.S. Environmental Protection Agency ("EPA") on November 16, 1990 (*Federal Register*, Volume 55, Page 47,990 [55 FR 47990]). Phase I requires NPDES permits for storm water discharge from a large number of priority sources, including municipal separate storm sewer systems ("MS4's") generally serving populations of 100,000 or more and several categories of industrial activity, including construction sites that disturb five or more acres of land.

EPA promulgated the second phase of the storm water regulatory program, commonly referred to as "Phase II," on December 8, 1999 (64 FR 68722). Phase II regulations address storm water discharges from certain MS4's serving populations of less than 100,000 people (called "small MS4's"). In summary, the regulations, which may be found in Title 40, Part 122, of the Code of Federal Regulations ("CFR") (40 CFR 122), require that all small MS4 operators located in *Urbanized Areas* (as defined by the latest U.S. census) must "develop, implement and enforce a Storm Water Management Program ("SWMP") designed to reduce the discharge of pollutants from [the] MS4 to the maximum extent practicable, to protect water quality..."

EPA has delegated authority to issue MS4 storm water discharge permits to the State of Texas. Under the authority of the Texas Water Code and the CWA, the Texas Commission on Environmental Quality ("TCEQ") is the regulatory body responsible for issuing permits regulating discharges from small MS4 systems to waters of the state. On August 13, 2007 the TCEQ issued the first-round general permit for small MS4s, Permit No. TXR040000, which expired on August 12, 2012. The City of Universal City secured coverage under TXR040000 prior to February 13, 2008. The TCEQ administratively continued the first-round general permit past its expiration date of August 12, 2012.

On December 13, 2013 the TCEQ issued their new second round general permit for small MS4s. In summary, the second-round permit requires that the City of Universal City (hereinafter, the "City") comply

with a number of administrative and legal requirements and to update, implement, and enforce a storm water management program (SWMP) designed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable to protect water quality.

On January 24, 2019 the TCEQ issued their new third-round general permit for small MS4s. A copy of the new permit is provided in Appendix A. In summary, the third-round permit requires that the District comply with a number of administrative and legal requirements and to update, implement, and enforce a SWMP designed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable to protect water quality.

## **1.2 MS4 LEVELS**

The January 24, 2019 permit imposes compliance obligations on small MS4s based on the population inside the 2010 urbanized area and served by the small MS4. A four-level system is defined in Part II.B.5 of the permit, which states:

- **Level 1:** Operators of traditional small MS4s that serve a population of less than 10,000 within an urbanized area;
- **Level 2:** Operators of traditional small MS4s that serve a population of at least 10,000 but less than 40,000 within an urbanized area. This category also includes all non-traditional small MS4s such as counties, drainage districts, transportation entities, military bases, universities, colleges, correctional institutions, municipal utility districts and other special districts regardless of population served within the urbanized area, unless the nontraditional MS4 can demonstrate that it meets the criteria for a waiver from permit coverage based on the population served;
- **Level 3:** Operators of traditional small MS4s that serve a population of at least 40,000 but less than 100,00 within an urbanized area;
- **Level 4:** Operators of traditional small MS4s that serve a population of 100,000 or more within an urbanized area.

The City is considered a Level 2 small MS4 under the permit. A Level 2 SWMP must address five areas, called Minimum Control Measures (“MCM”), as follows:

- Public Education, Outreach, and Involvement;
- Illicit Discharge Detection and Elimination;

- Construction Storm Water Runoff Control;
- Post-Construction Storm Water Management in New Development and Redevelopment; and,
- Pollution Prevention/Good Housekeeping for Municipal Operations.

For each MCM the SWMP must:

- Define measurable goals that include the development of ordinances or other regulatory mechanisms, allowed by state, federal and local law, providing the legal authority necessary to implement and enforce the requirements of this permit, including information on any limitations to the legal authority;
- Define a schedule including the months and years in which the permittee will undertake required actions, including interim milestones and the frequency of the action;
- Include a summary of written procedures describing how the permittee will implement the SWMP; and,
- Include a description of a program or a plan of compliance to address discharges to impaired water bodies and Total Maximum Daily Load (TMDL) requirements.

### **1.3 THE PURPOSE OF THIS DOCUMENT**

This document serves as the City's SWMP. It includes all selected BMPs for each of the minimum control measures, measurable goals for each BMP, the evaluation method, an implementation schedule, and a rationale statement. This document provides a clear road map for implementing stormwater quality management activities to improve runoff quality and to maintain permit compliance.

### **1.4 ENTITIES ASSISTING WITH THE DEVELOPMENT OF THIS DOCUMENT**

The City of Universal City was assisted by R.G. Miller Engineers, a private consulting firm, in the development of this SWMP.

## 1.5 ORGANIZATION OF THIS DOCUMENT

This document is organized into various sections as follows:

Section 1 – Introduction: This section provides background information on the stormwater regulatory program, defines the purpose of this document, and describes document organization.

Section 2 – City Background: This section provides general information about the city, including setting and character, receiving water body conditions, form of government, legal authority, and a rationale statement for the SWMP.

Section 3 – Public Education, Outreach, and Involvement: This section describes the permit requirements, current BMPs, selected new BMPs, measurable goals, implementation schedule, legal authority, and written procedures pertaining to the Public Education, Outreach, and Involvement MCM.

Section 4 – Illicit Discharge Detection and Elimination: This section describes the permit requirements, current BMPs, selected new BMPs, measurable goals, implementation schedule, legal authority, and written procedures pertaining to the Illicit Discharge Detection and Elimination MCM.

Section 5 – Construction Site Stormwater Runoff Control: This section describes the permit requirements, current BMPs, selected new BMPs, measurable goals, implementation schedule, legal authority, and written procedures pertaining to the Construction Site Stormwater Runoff Control MCM.

Section 6 – Post Construction Stormwater Management in New Development and Redevelopment: This section describes the permit requirements, current BMPs, selected new BMPs, measurable goals, implementation schedule, legal authority, and written procedures pertaining to the Post Construction Stormwater Management in New Development and Redevelopment MCM.

Section 7 – Pollution Prevention/Good Housekeeping for Municipal Operations: This section describes the permit requirements, current BMPs, selected new BMPs, measurable goals, implementation schedule, legal authority, and written procedures pertaining to the Pollution Prevention/Good Housekeeping for Municipal Operations MCM.

Section 8 – Record-Keeping and Reporting: This section describes the annual reporting requirements of the permit.

Section 9 – References: This section provides references used in writing this document.

## 2.0 CITY BACKGROUND

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### 2.1 SETTING AND CHARACTER

Universal City is located northeast of San Antonio in Northeast Bexar County. Universal City is approximately 20 miles from San Antonio, 70 miles from Austin, and 3.6 miles south of the southern boundary of the Edwards Aquifer transition zone. The city is 5.5 square miles in area and has a population of approximately 20,532. There are no significant natural resources or agricultural developments in the area. Randolph Air Force Base serves as the major source of employment for the city. Universal City is moderately steep, with elevations in the 750-900-foot range.

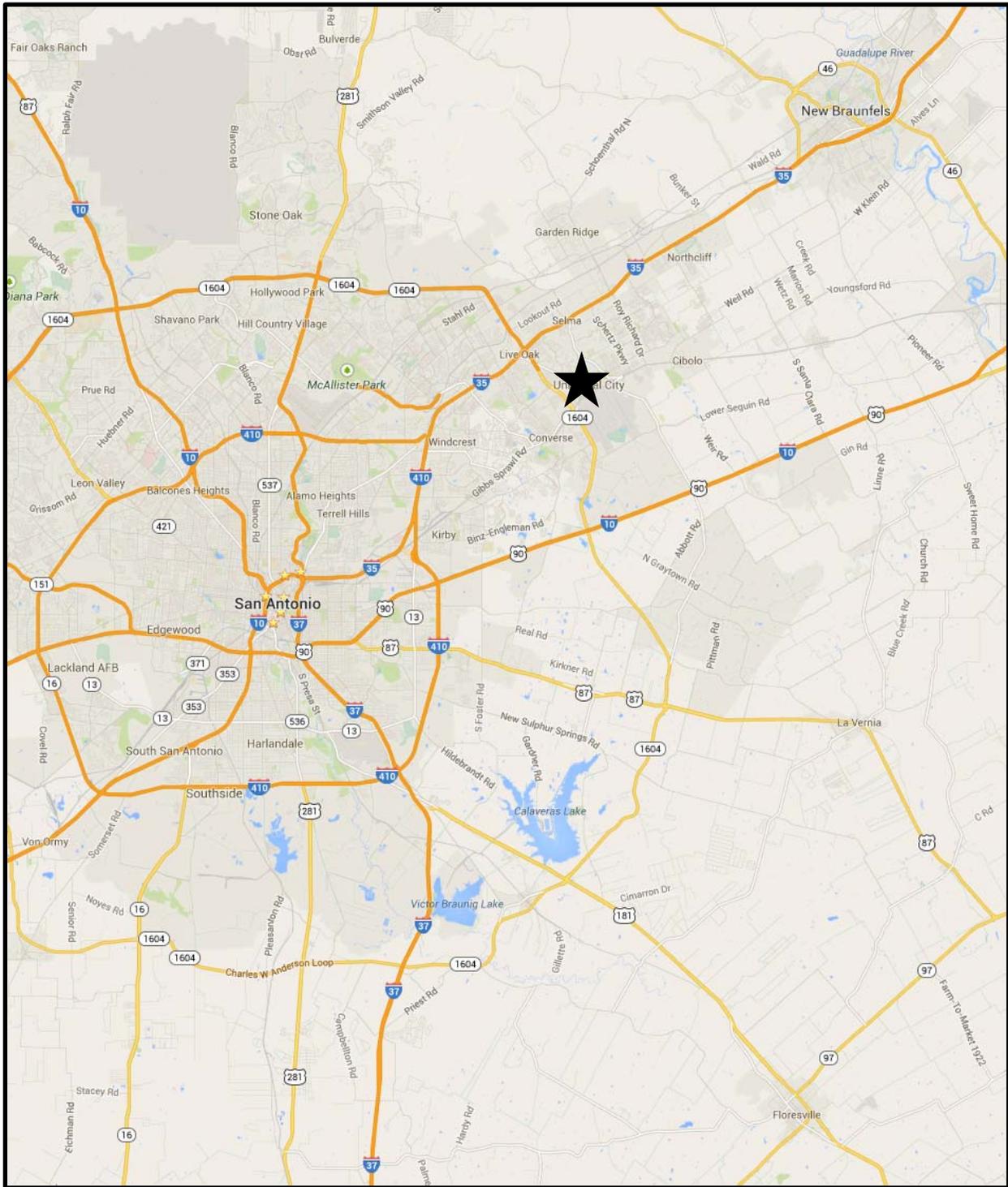
There are many soil types within three major soil associations in the area: Austin-Tarrant; Houston Black-Houston; and Lewisville-Houston Black.

The Austin-Tarrant association consists of moderately deep to very shallow clayey soils. It consists predominantly of soils that developed over chalk and marl but contains some alluvial soils. The soils are typically gently sloping and undulating to steep, grayish brown, and moderately permeable.

The Houston Black-Houston association consists of deep clayey soils over calcareous clay and marl. The soils are typically dark colored and slowly permeable. Wide cracks form when dry.

The Lewisville-Houston Black association consists of deep, calcareous clayey soils in old alluvium. This association occurs where deposits of calcareous alluvium border principal streams and intermittent drains. Most of the association is nearly level, but some areas along streams are gently sloping. Soils are typically moderately to slowly permeable.

(USDA, 1966)



**Figure 2-1 Vicinity Map**

## 2.2 IMPAIRED RECEIVING WATERBODIES WITH AND WITHOUT TOTAL MAXIMUM DAILY LOADS

Section 303(d) of the CWA directs states to identify and prioritize waters which do not meet water quality standards – called “impaired” – and for which a total maximum daily load (“TMDL”) must be developed. A TMDL is the total amount of a pollutant that can be discharged to a water body without causing the water body to be impaired. The State of Texas and its Clean Rivers Program partners, including the San Antonio River Authority, routinely monitor receiving water quality and assess receiving water conditions. This information is used to determine which waters do not meet water quality standards. Bexar County receiving waters can be categorized into three groups, as follows:

- **Waters Meeting Standards:** These are waters that are meeting surface water quality standards and that do NOT appear on the Section 303(d) list (Categories 4 or 5 of the *Texas Integrated Report of Surface Water Quality for Clean Water Act Sections 305(b) and 303(d)*). The MS4 operator is only required to implement TXR040000 provisions other than Part II.D.4 in these watersheds. See Table 2.1 for a list of waters meeting standards that receive discharges directly from the City of Universal City MS4.
- **Impaired Waters without an EPA Approved TMDL:** These are waters that are not meeting surface water quality standards, DO appear on the Section 303(d) list, but do not yet have an EPA approved TMDL (Category 5 of the *Texas Integrated Report of Surface Water Quality for Clean Water Act Sections 305(b) and 303(d)*). The MS4 operator is required to implement TXR040000 provisions including Part II.D.4.b. but not including Part II.D.4.a. See Table 2-2 for a list of impaired waters without an EPA approved TMDL that receive discharges directly from the City of Universal City MS4. This table is blank due to the fact that the City of Universal City does not discharge to any impaired waters.
- **Watersheds with an EPA Approved TMDL:** These are waters that are not meeting surface water quality standards and DO have an EPA approved TMDL (Category 4a of the *Texas Integrated Report of Surface Water Quality for Clean Water Act Sections 305(b) and 303(d)*). The MS4 operator is required to implement TXR040000 provisions including Part II.D.4.a. but not including Part II.D.4.b. See Table 2-3 for a list of impaired waters and their associated watersheds with an EPA approved TMDL that receive discharges from the City of Universal City MS4, directly or indirectly through another MS4. This table is blank due to the fact that the City of Universal City does not discharge to any impaired waters with EPA approved TMDLs.

<b>Table 2-1</b>		
<b>List of Waters Meeting Standards</b>		
<b>Receive Storm Water Discharges Directly from the Universal City MS4 (TCEQ, 2013b)</b>		
<b>Name</b>	<b>Segment ID</b>	<b>Impairment Parameter</b>
Salatrillo Creek	1902B	None

<b>Table 2-2</b>		
<b>List of Impaired Waters without an EPA Approved TMDL that</b>		
<b>Receive Stormwater Discharges Directly from the Universal City MS4 (TCEQ, 2013b)</b>		
<b>Name</b>	<b>Segment ID</b>	<b>Impairment Parameter</b>
Mid Cibolo Creek	1913	Dissolved Oxygen <i>Category 4b: Other control requirements are reasonably expected to result in the attainment of the standards.</i>

<b>Table 2-3</b>		
<b>List of Watersheds with an EPA Approved TMDL that Receive Stormwater Discharges</b>		
<b>from the Universal City MS4 Directly or Indirectly Through Another MS4 (TCEQ, 2014)</b>		
<b>Name</b>	<b>Segment ID</b>	<b>Impairment Parameter</b>
N/A	N/A	N/A

## **2.3 FORM OF GOVERNMENT**

The municipal government provided by the City's Charter is known as a "Council-City Manager" form of government. Pursuant to its provisions and subject only to the limitations imposed by the state constitution and by its Charter, all powers of the city are vested in the Mayor and the six City Council Members, who enact local legislation, adopt budgets, and determine policies. All powers of the city are exercised in the manner prescribed by the City's Charter, or if not prescribed, then as may be prescribed by City ordinance.

## **2.4 LEGAL AUTHORITY**

The City is a Type-A general-law municipality with home rule authority created under authority granted by Article 11, Section 5 of the Texas Constitution. Authority is granted to the City by the Texas Legislature under Local Government Code, Title 2, Organization of Municipal Government, Subtitle D, General Powers of Municipalities, Chapter 51, General Powers of Municipalities, Subchapters A and B, General Provisions and Provisions Applicable to Type A General-Law Municipality as follows:

*The governing body of a municipality may adopt, publish, amend, or repeal an ordinance, rule, or police regulation that:*

- 1. Is for the good government, peace, or order of the municipality or for the trade and commerce of the municipality; and*
- 2. Is necessary or proper for carrying out a power granted by law to the municipality or to an office or department of the municipality.*

*In addition, they may:*

- 1. Adopt an ordinance, act, law, or regulation, not inconsistent with state law, that is necessary for the government, interest, welfare, or good order of the municipality as a body politic.*
- 2. Sue and be sued, implead and be impleaded, and answer and be answered in any matter in any court or other place.*
- 3. Contract with other persons.*
- 4. Take, hold, purchase, lease, grant, or convey property located in or outside the municipality, and the governing body of the municipality may manage and control the property belonging to the municipality.*

After obtaining coverage under TXR040000 the City updated the Universal City Code of Ordinances, Part II, Municipal Services and Facilities, Chapter 2-10, Water and Sewers, Article VII, Municipal Stormwater Utility, Sec. 2-10-143, Public Utility on August 8, 2007 and August 18, 2009. In summary, the City of Universal City ordinances define the enforcement authority, prohibitions, right of entry, and enforcement procedures necessary to implement the City's Illicit Discharge Detection Elimination Program, the Construction Site Program, and the Post-Construction Program.

## **2.5 RATIONALE STATEMENT FOR SWMP**

During the development of this SWMP, the City considered BMPs that would: protect water quality, comply with TPDES Permit No. TXR040000, and ensure program costs that would not create undue hardship on city residents and businesses. Established stormwater programs for other MS4 operators were reviewed and evaluated. A variety of BMPs for each minimum control measure were considered and compared. BMPs were ultimately selected based on an evaluation of overall effectiveness, affordability, and suitability to the City of Universal City community.

The SWMP has been developed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable (MEP). The City has sought to meet the MEP standard by utilizing existing and new programs or BMPs to fulfill the requirements of this general permit. The program will allow continual adjustment and refinement through City implementation experience and feedback from all sectors of the residential and business community.

## 3.0 PUBLIC EDUCATION, OUTREACH, AND INVOLVEMENT

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The following section presents the permit requirement for the Public Education, Outreach, and Involvement Program. The section describes the existing and new BMPs necessary to implement this program. It describes the measurable goals for each BMP and the due date in months and years (or frequency) for each implementation action. Table 3-1, found at the end of this section, summarizes each BMP, implementation activities, measurable goal, and due dates or frequency of actions. Information about the City regulations that provides the legal authority necessary to implement and enforce this program and all others is provided in combined format in Section 2.4. A summary of written procedures describing how the permittee will implement this program is included in each of the BMPs described in Section 3.2 and 3.3.

### 3.1 PERMIT TEXT

The following text is quoted directly from the Small MS4 General Permit, TPDES Permit No. TXR040000, dated January 24, 2019. Internal references to other sections of the permit have been maintained. For additional information, please consult Appendix A which contains a copy of the entire permit.

#### 3.1.1 Public Education and Outreach

(1) *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 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 and newly regulated permittees shall have the program fully implemented by the end of this permit term. The program must, at a minimum:*

- a. *Define the goals and objectives of the program based on high priority community-wide issues (for example, reduction of nitrogen in discharges from the small MS4, promoting previous techniques used in the small MS4, or improving the quality of discharges to the Edwards Aquifer);*
- b. *Identify the target audience(s);*

- c. *Develop or utilize appropriate educational materials, such as printed materials, billboard and mass transit advertisements, signage at select locations, radio advertisements, television advertisements, and websites;*
  - d. *Determine cost effective and practical methods and procedures for distribution of materials.*
- (2) *Throughout the permit term, all permittees shall make the educational materials available to convey the program's message to the target audience(s) at least annually.*
  - (3) *If the permittee has a public website, the permittee shall post its SWMP and the annual reports required under Part IV.B.2. or a summary of the annual report on the permittee's website. The SWMP must be posted no later than 30 days after the approval date, and the annual report no later than 30 days after the due date.*
  - (4) *All permittees shall annually review and update the SWMP and MCM implementation procedures required by Part III.A.2., as necessary. Any changes must be reflected in the annual report. Such written procedures must be maintained, either on site or in the SWMP and made available for inspection by the TCEQ.*
  - (5) *MS4 operators may partner with other MS4 operators to maximize the program and cost effectiveness of the required outreach.*

### **3.1.2 Public Involvement**

*All permittees shall involve the public, and, at minimum, comply with any state and local public notice requirements in the planning and implementation activities related to developing and implementing the SWMP, except that correctional facilities are not required to implement this portion of the MCM.*

*Existing permittees 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 and newly regulated permittees shall have the program fully implemented by the end of this permit term. At a minimum, all permittees shall:*

- (1) *Consider using public input (for example, the opportunity for public comment, or public meetings) in the implementation of the program;*

- (2) *Create opportunities for citizens to participate in the implementation of control measures, such as stream clean-ups, storm drain stenciling, volunteer monitoring, volunteer “Adopt-A-Highway” programs, and educational activities;*
- (3) *Ensure the public can easily find information about the SWMP.*

## **3.2 DISCUSSION OF EXISTING BMPS**

### **3.2.1 Household Hazardous Waste Collection Events**

*Description and Summary of Implementation Procedures:* The City currently conducts two household hazardous waste collection events each year. During the event, City staff collects and properly disposes of household hazardous waste materials from residential areas within the city. The event is geared toward educating and reaching out to residents, including public service employees, about the impacts of illegal discharges and storm water pollution. The events are advertised in the local newspaper, on the City web site, on Facebook, and in the City newsletter. The event advertisements will focus on educating City residents, including public service employees, on the different pollution mechanisms and the impacts associated with them. City staff will also be educated through participation in Operations and Maintenance training and use of the Good House Keeping Rules Manual under the Pollution Prevention and Good Housekeeping for Municipal Operations Program MCM. The City will maintain an event log identifying the type, volume, and method of disposal for all collected wastes.

*Legal Authority:* See Section 2.4 of this document for a summary of City of Universal City’s legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 3-1.

### **3.2.2 Fall and Spring Cleanup**

*Description and Summary of Implementation Procedures:* The City currently conducts two clean-up events each year-- one in the fall and one in the spring. The events are advertised in the local newspaper, on the City web site, on Facebook, and in the City newsletter. The event advertisements are targeted to City residents, including public service employees. During the event, City staff collects and properly disposes of large household waste items and yard debris. The City will maintain an event log identifying the type, volume, and method of disposal for all collected wastes.

*Legal Authority:* See Section 2.4 of this document for a summary of City of Universal City’s legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 3-1.

### **3.2.3 Complaint Hotline**

*Description and Summary of Implementation Procedures:* The City will continue to operate a phone line for residents to call in questions and complaints. The City has also established an alternate land line for emergencies. The phone line will continue to field calls regarding environmental concerns, dumping activities, construction runoff, illicit discharges, and hazard and nuisance conditions. City personnel will continue to investigate valid complaints. The Complaint Hotline will be advertised to city residents and businesses through "The Gateway" newsletter, on the City website, at public events, etc.

*Legal Authority:* See Section 2.4 of this document for a summary of City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 3-1.

### **3.2.4 Storm Drain Placarding**

*Description and Summary of Implementation Procedures:* Storm drain plaques will continue to be maintained on publicly viewable storm water inlets and other structures. Plaques provide an educational message informing viewers that the storm water system drains directly to streams and that no waste placement or dumping should occur. Placarding educates a broader group of people to include residents, visitors, public service employees, businesses, commercial and industrial facilities and construction site personnel. Placards are located at areas that see a high volume of the target audience. Since most construction projects drain into the City's MS4, the City considered potential or upcoming development areas for the location of Storm Drain Placards. The placards, with pollution messages, are visible to construction site personnel as they shuttle to and from project sites. A city employee replace plaques as necessary. The City will also continue to place plaques at any new publicly viewable storm water inlets and other structures.

*Legal Authority:* See Section 2.4 of this document for a summary of City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 3-1.

### **3.2.5 "The Gateway" Newsletter Storm Water Articles**

*Description and Summary of Implementation Procedures:* The City will continue to publish storm water related articles in the "The Gateway" newsletter at least twice annually. "The Gateway" Storm Water Articles educates residents, public employees, general public, businesses, commercial and industrial facilities. Article topics include discussions of storm water related water quality impacts; identification of actions citizens can take to reduce storm water related impacts; announcements of storm water and community clean up events; informational articles for citizens regarding illicit discharges and how to report them; and other storm water related topics. The newsletter is distributed via direct mail and at

City Hall. These BMPs raise public awareness for the need to reduce the discharge of pollutants. Targeted City groups include residents, visitors, businesses, and commercial and industrial facilities.

*Legal Authority:* See Section 2.4 of this document for a summary of City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 3-1.

### **3.2.6 Legal Public Notice**

*Description and Summary of Implementation Procedures:* *Description and Summary of Implementation Procedures:* Public notice required under Texas law will be provided when implementing SWMP provisions. This may include public hearings, public notices in the local newspaper, public notices on the City's website, or other legally required and acceptable means of providing public notice for City actions.

*Legal Authority:* See Section 2.4 of this document for a summary of City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 3-1.

### **3.2.7 Public Involvement in SWMP Development**

*Description and Summary of Implementation Procedures:* The City will notify the public regarding their opportunity for participation in SWMP development by posting proposed stormwater BMPs and SWMP program elements on the City website and at the municipal building. The City will provide a mechanism for the public to provide comments upon proposed elements and suggest additional recommendations. The City will evaluate public comments and incorporate suggestions into the SWMP as appropriate.

*Legal Authority:* See Section 2.4 of this document for a summary of City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 3-1.

### **3.2.8 Construction Activity Stakeholder Group**

*Description and Summary of Implementation Procedures:* The City formed a Construction Activity Stakeholder Group that focuses on minimizing water quality impacts from construction activities. Group topics of discussion include erosion and sediment control measures; on-site waste control alternatives; relevant City ordinances; construction plan requirements; City plan review procedures; evaluation/feedback regarding existing requirements; and procedures and suggestions for improving the program. The group consists of a diverse group of citizens, including contractors, developers, city department representatives, environmental interest groups, and other potentially interested constituents. The group will continue to meet once annually. Meeting minutes will be kept and responses to comments will be prepared and distributed to stakeholder participants following each meeting.

*Legal Authority:* See Section 2.4 of this document for a summary of City of Universal City’s legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 3-1.

### **3.2.9 Development Stakeholder Group**

*Description and Summary of Implementation Procedures:* The City formed a Development Stakeholder Group that focuses on development alternatives and post-construction BMPs to reduce impacts to surface water quality from storm water runoff. Topics of discussion at meetings include post-construction BMP alternatives and construction standards; relevant City ordinances; post-construction plan requirements; City plan review and site inspection procedures; evaluation/ feedback regarding existing requirements and procedures; and suggestions for improving the program. The City has solicited the participation of a diverse group of citizens including contractors, developers, city department representatives, environmental interest groups, and other potentially interested constituents. The group will continue to meet once annually. Meeting minutes will be kept and responses to comments will be prepared and distributed to stakeholder participants following each meeting.

*Legal Authority:* See Section 2.4 of this document for a summary of City of Universal City’s legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 3-1.

### **3.2.10 Online Citizen Request “FIX IT” Form**

*Description and Summary of Implementation Procedures:* The City will continue to maintain an internet-based “FIX IT” form public service request mechanism. The online form will be advertised, and the public will be encouraged to report observed violations of stormwater regulations for illicit discharges, construction runoff controls, or any related issue to the City via the Citizen Request Form. Public requests will be delivered to appropriate City personnel for follow-up action. City personnel will document follow-up action.

*Legal Authority:* See Section 2.4 of this document for a summary of City of Universal City’s legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 3-1.

### **3.2.11 Identify Target Audiences for Public Education and Outreach Program**

*Description and Summary of Implementation Procedures:* The City identified the target audiences for the public education and outreach program, considering high-priority, community-wide issues, likely sources of pollution, and the entities that generate the pollutants, in a prior permit cycle.

*Legal Authority:* See Section 2.4 of this document for a summary of City of Universal City’s legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 3-1.

### **3.2.12 Identify Goals and Objectives for Public Education and Outreach Program**

*Description and Summary of Implementation Procedures:* The City identified the goals and objectives for the public education and outreach program, considering high-priority, community-wide issues, likely sources of pollution, and the entities that generate the pollutants, in a prior permit cycle.

*Legal Authority:* See Section 2.4 of this document for a summary of City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 3-1.

## **3.3 SELECTED NEW BMPS**

### **3.3.1 Content on City Website**

*Description and Summary of Implementation Procedures:* The City will continue to maintain a website for online activity. The City will make a copy of this Stormwater Management Program (SWMP) and annual reports for each year available on the stormwater section of the city's existing website.

*Legal Authority:* See Section 2.4 of this document for a summary of City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 3-1.

**Table 3-1**  
**BMPs for Public Education and Outreach**

BMP	Activity	Measurable Goals	Completed By (Month and Year or Frequency of Action)
<b>Existing</b>			
Household Hazardous Waste Collection Event	Advertise each event in the local newspaper, "The Gateway" Newsletter, and/or City Website.	Record the date of advertisement. Maintain copy of the advertising announcements.	Two Times Per Year
	Conduct events each year.	Conduct two events each year and prepare a summary of the events. Estimate the number of households participating. Assess whether appropriate staff time was devoted to the preparation and execution of the event. Record recommendations to improve future events.	Two Times Per Year
	Dispose of collected materials.	Record the type, volume and method of disposal for wastes received.	Two Times Per Year
Fall and Spring Cleanup	Advertise each event in the local newspaper, "The Gateway" Newsletter, and/or City Website.	Record the date of advertisement. Maintain copy of the advertising announcements.	Two Times Per Year
	Conduct events each year.	Conduct two events each year and prepare a summary of the events. Estimate the number of households participating. Assess whether appropriate staff time was devoted to the preparation and execution of the event. Record recommendations to improve future events.	Two Times Per Year
	Dispose of collected materials.	Record the type, volume and method of disposal for wastes received.	Two Times Per Year
Complaint Hotline	Continue to operate existing complaint hotline.	Document service requests and City follow-up actions.	Ongoing
	Publicize existing hotline.	Maintain log of advertising methods used to publicize hotline.	Ongoing
Storm Drain Placarding (Curb Markers)	Conduct visual inspection of installed plaques.	Continue to maintain placards as needed.	Ongoing
	Install plaques at any new inlets or structures.	Continue to install new placards as needed.	Ongoing
"The Gateway" Newsletter articles	Write and publish storm water articles within "The Gateway" ".	Maintain a copy of each storm water article. Record the number of newsletters distributed.	Two Times Per Year
Legal Public Notice	Provide required public notice regarding specific city actions requiring notice (adoption of an ordinance, etc.).	Document publication on website and posting at city hall or other suitable method(s).	As Needed

**Table 3-1  
BMPs for Public Education and Outreach**

<b>BMP</b>	<b>Activity</b>	<b>Measurable Goals</b>	<b>Completed By (Month and Year or Frequency of Action)</b>
Public Involvement in SWMP Development	Notify the public regarding their opportunity for participation in stormwater program development by posting proposed stormwater BMPs and SWMP program elements on City website and at the municipal building. Provide mechanism for public to provide comments upon proposed elements and suggest additional recommendations.	Record date materials posted on website and at the municipal building. Maintain copy of posted materials and received comments.	May 2019
	Evaluate public comments and incorporate suggestions into stormwater management plan.	Complete activity.	May 2019
Construction Activity Stakeholder Group	Identify and invite a diverse group of City constituents.	Create and maintain contact list for active group members.	Ongoing
	Hold stakeholder group meetings to discuss construction program implementation.	Document agenda items and attendees of at least one stakeholder group meeting per year. Prepare and distribute minutes and comment responses.	One Time Per Year
Development Stakeholder Group	Identify and invite a diverse group of City constituents.	Create and maintain contact list for active group members.	Ongoing
	Hold stakeholder group meetings to discuss development alternatives, post-construction BMPs and program implementation.	Document agenda items and attendees of at least one stakeholder group meeting per year. Prepare and distribute minutes and comment responses.	One Time Per Year
Online Citizen Request Form	Maintain Citizen Request Form on city website.	Document service requests and City follow-up actions.	Ongoing
	Publicize request form and how it can be used to report stormwater pollution concerns.	Maintain log of advertising methods used to publicize hotline.	Ongoing
Identify Target Audiences for Public Education and Outreach Program	Considering high-priority, community-wide issues, likely sources, and entities that generate the pollutants.	Complete activity and document in memorandum to file.	Completed in a prior permit cycle.
Identify Goals and Objectives of Public Education and Outreach Program	Considering high-priority, community-wide issues, likely sources define public education goals and objectives.	Complete activity and document in memorandum to file.	Completed in prior permit cycle.
<b>NEW BMPs</b>			
City Website Content	Make Stormwater Management Program (SWMP) available on the stormwater section of the city website.	Complete activity.	July 2019
	Make annual report available on the stormwater section of the city website.	Complete activity.	Annually

## 4.0 ILLICIT DISCHARGE DETECTION ELIMINATION

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The following section presents the permit requirement for the Illicit Discharge Detection and Elimination Program. The section describes the existing and new BMPs necessary to implement this program. It describes the measurable goals for each BMP and the due date in months and years (or frequency) for each implementation action. Table 4-1, found at the end of this section, summarizes each BMP, implementation activities, measurable goal, and due dates or frequency of actions. Information about the City regulations that provides the legal authority necessary to implement and enforce this program and all others is provided in combined format in Section 2.4. A summary of written procedures describing how the permittee will implement this program is included in each of the BMPs described in Section 4.2 and 4.3.

### 4.1 PERMIT REQUIREMENTS

The following text is quoted directly from the Small MS4 General Permit, TPDES Permit No. TXR040000, dated January 24, 2019. Internal references to other sections of the permit have been maintained. For additional information, please consult Appendix A which contains a copy of the entire permit.

#### 4.1.1 Program Development

(1) *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.*

*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 and newly regulated permittees shall have the program fully implemented by the end of this permit term. See also Part III.A.1(c).*

*The Illicit Discharge Detection and Elimination (IDDE) program must include the following:*

- a. *An up-to-date MS4 map (see Part III.B.2.(c)(1));*
- b. *Methods for informing and training MS4 field staff (See Part III.B.2.(c)(2));*
- c. *Procedures for tracing the source of an illicit discharge (see Part III. B.2.(c)(5));*
- d. *Procedures for removing the source of the illicit discharge (see Part III.B.2.(c)(5));*

- e. *For Level 2, 3 and 4 small MS4s, if applicable, procedures to prevent and correct any leaking on-site sewage disposal systems that discharge into the small MS4;*

Not applicable to City which is a Level 2 MS4.

- f. *For Level 4 small MS4s, procedures for identifying priority areas within the small MS4 likely to have illicit discharges, and a list of all such areas identified in the small MS4 (See Part III.B.2.(e)(1));*

Not applicable to City which is a Level 2 MS4.

- g. *For Level 4 small MS4s, field screening to detect illicit discharges (See Part III.B.2.(e)(2)); and*

- h. *For level 4 small MS4s, procedures to reduce the discharge of floatables in the MS4. (See Part III.B.2.(e)(3).*

Not applicable to City which is a Level 2 MS4.

- (2) *For non-traditional small MS4s, if illicit connections or illicit discharges are observed related to another operator's MS4, the permittee shall notify the other MS4 operator within 48 hours of discovery. If notification to the other MS4 operator is not practicable, then the permittee shall notify the appropriate TCEQ Regional Office of the possible illicit connection.*

- (3) *If another MS4 operator notifies the permittee of an illegal connection or illicit discharge to the small MS4, then the permittee shall follow the requirements specified in Part III.B.2.(c)(3).*

- (4) *All permittees shall annually review and update as necessary, the SWMP and MCM implementation procedures required by Part III.A.2. Any changes must be reflected in the annual report. Such written procedures must be maintained, either on site or in the SWMP and made available for inspection by the TCEQ.*

#### **4.1.2 Allowable Non-Stormwater Discharges**

*Non-stormwater flows listed in Part II.C do not need to be considered by the permittee as an illicit discharge requiring elimination unless the permittee or the TCEQ identifies the flow as a significant source of pollutants to the small MS4.*

#### **4.1.3 Requirements for All Permittees**

*All permittees shall include the requirements described below in Parts III.B.2(c)(1)-(6)*

- (1) *MS4 mapping*

*All permittees shall maintain an up-to-date MS4 map, which must be located on site and available for review by the TCEQ. The MS4 map must show at a minimum the following information:*

- a. The location of all small MS4 outfalls that are operated by the permittee and that discharge into waters of the U.S;*
- b. The location and name of all surface waters receiving discharges from the small MS4 outfalls; and*
- c. Priority areas identified under Part III.B.2.(e)(1), if applicable.*

*(2) Education and Training*

*All permittees shall 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.*

*(3) Public Reporting of Illicit Discharges and Spills*

*All permittees shall publicize and facilitate public reporting of illicit discharges or water quality impacts associated with discharges into or from the small MS4. The permittee shall provide a central contact point to receive reports; for example, by including a phone number for complaints and spill reporting.*

*(4) All permittees shall develop and maintain on site procedures for responding to illicit discharges and spills.*

*(5) Source Investigation and Elimination*

- a. Minimum Investigation Requirements – Upon becoming aware of an illicit discharge, all permittees shall conduct an investigation to identify and locate the source of such illicit discharge as soon as practicable.*
  - (i) All permittees shall prioritize the investigation of discharges based on their relative risk of pollution. For example, sanitary sewage may be considered a high priority discharge.*
  - (ii) All permittees shall report to the TCEQ immediately upon becoming aware of the occurrence of any illicit flows believed to be an immediate threat to human health or the environment.*

(iii) *All permittees shall track all investigations and document, at a minimum, the date(s) the illicit discharge was observed; the results of the investigation; any follow-up of the investigation; and the date the investigation was closed.*

b. *Identification and Investigation of the Source of the Illicit Discharge –All permittees shall investigate and document the source of illicit discharges where the permittees have jurisdiction to complete such an investigation. If the source of illicit discharge extends outside the permittee’s boundary, all permittees shall notify the adjacent permitted MS4 operator or the appropriate TCEQ Regional Office according to Part III.A.3.b.*

c. *Corrective Action to Eliminate Illicit Discharge*

(i) *If and when the source of the illicit discharge has been determined, all permittees shall immediately notify the responsible party of the problem and shall require the responsible party to perform all necessary corrective actions to eliminate the illicit discharge.*

(6) *Inspections – The permittee shall conduct inspections in response to complaints and shall conduct follow-up inspections to ensure that corrective measures have been implemented by the responsible party.*

*The permittee shall develop written procedures describing the basis for conducting inspections in response to complaints and conducting follow-up inspections.*

#### **4.1.4 Additional Requirements for Level 3 and 4 Small MS4s**

Not applicable to City which is a Level 2 MS4.

#### **4.1.5 Additional Requirements for Level 4 Small MS4s**

Not applicable to City which is a Level 2 MS4.

### **4.2 DISCUSSION OF EXISTING BMPS**

#### **4.2.1 Complaint Hotline**

*Description and Summary of Implementation Procedures:* See Section 3.2.3 for a discussion of the complaint hotline.

*Legal Authority:* See Section 2.4 of this document for a summary of the City of Universal City’s legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 4-1.

#### **4.2.2 Illicit Discharge Ordinance**

*Description and Summary of Implementation Procedures:* The City updated its existing ordinances on August 18, 2009. The City ordinances ensure that non-storm water discharges are effectively prohibited from the City storm sewer system. Ordinances include appropriate enforcement procedures and actions for failing to comply and added additional enforcement remedies.

*Legal Authority:* See Section 2.4 of this document for a summary of the City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 4-1.

#### **4.2.3 Illicit Discharge Program Procedures**

*Description and Summary of Implementation Procedures:* The City has already developed program procedures that describe how illicit discharges are detected, investigated, and eliminated. The procedures describe how the City enforces the program. Upon identification of an illicit discharge City personnel investigate the source of the discharge using existing operating procedures. Once the source of the discharge has been identified the City informs the owner or operator of the source facility that the discharge activities must cease. The city conducts a follow up inspection and if the source facility fails to mitigate the discharge the City implements its enforcement procedures.

*Legal Authority:* See Section 2.4 of this document for a summary of City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 4-1.

#### **4.2.4 Storm Sewer Map**

*Description and Summary of Implementation Procedures:* The City has created a storm sewer map that contains the elements required under this permit, including the location of major outfalls and the names and locations of waters of the United States that receive discharges from those outfalls. The City used various resources to create the map, including construction plans, as-built drawings, survey work, consultant drainage maps, field observations, and global positioning system ("GPS") work. The map will be updated annually to reflect any changes or additions to the storm sewer system. The map will be located on site and made available for TCEQ review upon request.

*Legal Authority:* See Section 2.4 of this document for a summary of the City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 4-1.

#### **4.2.5 Storm Drain Placarding**

*Description and Summary of Implementation Procedures:* See Section 3.2.4 for a discussion of the storm drain placarding BMP.

*Legal Authority:* See Section 2.4 of this document for a summary of the City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 4-1.

#### **4.2.6 "The Gateway" Newsletter Storm Water Articles**

*Description and Summary of Implementation Procedures:* See Section 3.2.5 for a discussion of the "The Gateway" newsletter BMP.

*Legal Authority:* See Section 2.4 of this document for a summary of the City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 4-1.

#### **4.2.7 Employee Training**

*Description and Summary of Implementation Procedures:* The City will continue to train 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. The training program will include: the stormwater quality management program; procedures for tracing the source of an illicit discharge and removing the source of the illicit discharge; how to identify illicit discharges; the illicit discharge program regulations and operating procedures; the construction runoff control program; and the good housekeeping program. The City will maintain training program materials and attendance lists on site and will make them available for review by the TCEQ.

*Legal Authority:* See Section 2.4 of this document for a summary of the City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 4-1.

#### **4.2.8 Address Leaking Septic Systems**

*Description and Summary of Implementation Procedures:* The City previously identified failing systems and created a map of known septic systems, known sanitary sewer systems, and developed tracts of land. The City will conduct a desktop evaluation of the mapping data and identify areas of development not served by sanitary sewer systems. The City will conduct drive-by inspections of developed areas not served by sanitary sewer systems to investigate conditions and to identify failing systems. Once identified, the City will encourage owner / operators to address failing systems. The City will take enforcement action under its illicit discharge ordinance as appropriate to compel owners / operators to address failing systems. The City will address inadequate maintenance of septic systems.

*Legal Authority:* See Section 2.4 of this document for a summary of City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 4-1.

#### **4.2.9 Online Citizen Request Form**

*Description and Summary of Implementation Procedures:* See Section 3.3.1 for a discussion of the Citizen Request Form.

*Legal Authority:* See Section 2.4 of this document for a summary of City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 4-1.

#### **4.2.10 Assess Existing Program Elements**

*Description and Summary of Implementation Procedures:* See Section 3.3.2

*Legal Authority:* See Section 2.4 of this document for a summary of City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 4-1.

### **4.3 SELECTED NEW BMPS**

No new BMPs are required to comply with the January 24, 2019 permit.

### **4.4 LIST OF ALLOWABLE NON-STORMWATER DISCHARGES**

The City has considered and determined the following occasional incidental non-storm water discharges to be insignificant contributors of pollutants to the MS4: water line flushing, landscape irrigation, diverted stream flows, rising ground waters, uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20)), uncontaminated pumped ground water, discharges from potable water sources that do not violate Texas Surface Water Quality Standards, foundation drains, air conditioning condensation, irrigation water, springs, water from crawl space pumps, footing drains, lawn watering, individual residential car washing, flows from riparian habitats and wetlands, dechlorinated swimming pool discharges that do not violate Texas Surface Water Quality Standards, and street wash water excluding street sweeper waste water. In accordance with Part II.B of the permit, no controls and conditions have been currently established for these discharges. Controls and conditions set up by the City will be documented in the annual reports submitted to the TCEQ.

**Table 4-1  
BMPs for Illicit Discharge Detection and Elimination**

BMP	Activity	Measurable Goals	Completed By (Month and Year or Frequency of Action)
<b>EXISTING BMPs</b>			
Complaint Hotline	See Table 3-1		
Illicit Discharge Ordinance	Completed during last permit cycle.		
Illicit Discharge Program Procedures	Completed during last permit cycle.		
Storm Sewer Map	Update and maintain to reflect changes to system.	Continue to update map as drainage facilities come on line.	Ongoing
Storm Drain Placarding	See Table 3-1		
"The Gateway" Newsletter Articles	See Table 3-1		
Employee Training	Train employees on illicit discharge program.	Complete and document activity. Maintain log of attendees.	Annually
Address Leaking Septic Systems	Prepare map of septic systems, sanitary sewer systems, tracts of land, developed land (land use), and identify priority areas.	Complete map.	Completed in prior permit cycle.
	Conduct study of map and conduct drive by inspections of priority areas.	Identify priority areas in impaired watersheds with development and no sanitary sewer system for inspection. Inspect priority areas. Summarize inspection findings.	Conduct 1 inspection per year.
Online Citizen Request Form	See Table 3-1		
Assess Existing Program	See Table 3-1		

## 5.0 CONSTRUCTION SITE STORM WATER RUNOFF CONTROL

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The following section presents the permit requirement for the Construction Site Storm Water Runoff Control Program. The section describes the existing and new BMPs necessary to implement this program. It describes the measurable goals for each BMP and the due date in months and years (or frequency) for each implementation action. Table 5-1, found at the end of this section, summarizes each BMP, implementation activities, measurable goal, and due dates or frequency of actions. Information about the City regulations that provides the legal authority necessary to implement and enforce this program and all others is provided in combined format in Section 2.4. A summary of written procedures describing how the permittee will implement this program is included in each of the BMPs described in Section 5.2 and 5.3.

### 5.1 PERMIT REQUIREMENTS

The following text is quoted directly from the Small MS4 General Permit, TPDES Permit No. TXR040000, dated January 24, 2019. Internal references to other sections of the permit have been maintained. For additional information, please consult Appendix A which contains a copy of the entire permit.

#### 5.1.1 Requirements and Control Measures

*All permittees shall develop, implement, and enforce a program requiring operators of small and large construction activities, as defined in Part I of this general permit, 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.*

*Existing permittees 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 and newly regulated permittees shall have the program fully implemented by the end of this permit term.*

*If TCEQ waives requirements for stormwater discharges associated with small construction from a specific site(s), the permittee is not required to enforce the program to reduce pollutant discharges from such site(s).*

#### 5.1.2 Requirements for all Permittees

*All permittees shall include the requirements described below in Parts III.B.3(b)(1)-(7).*

*(1) All permittees shall review and update as necessary, the SWMP and MCM implementation procedures required by Part III.A.2. Any changes must be included in the annual report. Such written*

*procedures must be maintained on site or in the SWMP and made available for inspection by the TCEQ.*

- (2) *All permittees shall annually require that construction site operators implement appropriate erosion and sediment control BMPs. The permittee's construction program must ensure the following minimum requirements are effectively implemented for all small and large construction activities discharging to its small MS4.*
- a. *Erosion and Sediment Controls - Design, install and maintain effective erosion controls and sediment controls to minimize the discharge of pollutants.*
  - b. *Soil Stabilization - Stabilization of disturbed areas must, at a minimum, be initiated immediately whenever any clearing, grading, excavating or other earth disturbing activities have permanently ceased on any portion of the site, or temporarily ceased on any portion of the site and will not resume for a period exceeding 14 calendar days. Stabilization must be completed as soon as practicable, but no more than 14 calendar days after the initiation of soil stabilization measures. In arid, semiarid, and drought-stricken areas, where initiating vegetative stabilization measures immediately is infeasible, alternative stabilization measures must be employed.*
  - c. *BMPs - Design, install, implement, and maintain effective BMPs to minimize the discharge of pollutants to the small MS4. At a minimum, such BMPs must be designed, installed, implemented and maintained to:*
    - (i) *Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters;*
    - (ii) *Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste and other materials present on the site to precipitation and to stormwater; and*
    - (iii) *Minimize the discharge of pollutants from spills and leaks.*
  - d. *As an alternative to (a) through (c) above, all permittees shall ensure that all small and large construction activities discharging to the small MS4 have developed and implemented a stormwater pollution prevention plan (SWP3) in accordance with the TPDES CGP TXR150000. In arid, semiarid, and drought-stricken areas, where initiating vegetative stabilization measures immediately is infeasible, alternative stabilization measures must be*

*employed and described in the written procedure required in item 2(b). above. As an alternative, vegetative stabilization measures may be implemented as soon as practicable.*

**(3) Prohibited Discharges**

*The following discharges are prohibited:*

- a. Wastewater from washout of concrete and wastewater from water well drilling operations, unless managed by an appropriate control;*
- b. Wastewater from washout and cleanout of stucco, paint, from release oils, and other construction materials;*
- c. Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance; and,*
- d. Soaps or solvents used in vehicle and equipment washing; and*
- e. Discharges from dewatering activities, including discharges from dewatering of trenches and excavations, unless managed by appropriate BMPs.*

**(4) Construction Plan Review Procedures**

*To the extent allowable by state, federal, and local law, all permittees shall maintain and implement site plan review procedures that describe which plans will be reviewed as well as when an operator may begin construction. For those permittees without legal authority to enforce site plan reviews, this requirement is limited to those sites operated by the permittee and its contractors and located within the permittee's regulated area. The site plan procedures must meet the following minimum requirements:*

- a. The site plan review procedures must incorporate consideration of potential water quality impacts.*
- b. The permittee may not approve any plans unless the plans contain appropriate site-specific construction site control measures that, at a minimum, meet the requirements described in Part III. B.3.(a) or in the TPDES CGP, TXR150000.*

*The permittee may require and accept a plan, such as a SWP3, that has been developed pursuant to the TPDES CGP, TXR150000.*

**(5) Construction Site Inspections and Enforcement**

*To the extent allowable by state, federal, and local law, all permittees shall implement procedures for inspecting large and small construction projects. Permittees without legal authority to inspect construction sites shall at a minimum conduct inspection of sites operated by the permittee or its contractors and that are located in the permittee's regulated area.*

- a. The permittee shall conduct inspections based on the evaluation of factors that are a threat to water quality, such as: soil erosion potential; site slope; project size and type; sensitivity of receiving water bodies; proximity to receiving waterbodies; non-stormwater discharges; and past record of non-compliance by the operators of the construction site.*
- b. Inspections must occur during the active construction phase.*
  - (i) All permittees shall develop and implement updated written procedures outlining the inspection and enforcement requirements. These procedures must be maintained on site or in the SWMP and be made available to TCEQ.*
  - (ii) Inspections of construction sites must, at a minimum:*
    - 1. Determine whether the site has appropriate coverage under the TPDES CGP, TXR150000. If no coverage exists, notify the permittee of the need for permit coverage;*
    - 2. Conduct a site inspection to determine if control measures have been selected, installed, implemented, and maintained according to the small MS4's requirements;*
    - 3. Assess compliance with the permittee's ordinances and other regulations; and*
    - 4. Provide a written or electronic inspection report.*
- c. Based on site inspection findings, all permittees shall take all necessary follow-up actions (for example, follow-up-inspections or enforcement) to ensure compliance with permit requirements and the SWMP. These follow-up and enforcement actions must be tracked and maintained for review by the TCEQ.*

*For non-traditional small MS4s with no enforcement powers, the permittee shall notify the adjacent MS4 operator with enforcement authority or the appropriate TCEQ Regional Office according to Part III.A.3(b).*

**(6) Information submitted by the Public**

*All permittees shall develop, implement and maintain procedures for receipt and consideration of information submitted by the public.*

(7) *MS4 Staff Training*

*All permittees shall ensure 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 these activities. The training may be conducted by the permittee or by outside trainers.*

**5.1.3 Additional Requirements for Level 3 and 4 Small MS4**

Not applicable to City which is a Level 2 MS4.

**5.2 DISCUSSION OF EXISTING BMPS**

**5.2.1 Complaint Hotline**

*Description and Summary of Implementation Procedures:* See Section 3.2.3 for a discussion of the complaint hotline.

*Legal Authority:* See Section 2.4 of this document for a summary of the City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 5-1.

**5.2.2 Construction Activity Stakeholder Group**

*Description and Summary of Implementation Procedures:* See Section 3.2.9 for a discussion of the construction activity stakeholder group.

*Legal Authority:* See Section 2.4 of this document for a summary of the City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 5-1.

**5.2.3 Construction Site Plan Review and Approval Procedures**

*Description and Summary of Implementation Procedures:* The City has developed plan review and approval procedures for construction projects that requires the design of erosion and sediment control measures consistent with TPDES Permit No. TXR040000. The City will continue to review plans for compliance.

*Legal Authority:* See Section 2.4 of this document for a summary of the City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 5-1.

#### **5.2.4 Construction Site Inspections and Enforcement**

*Description and Summary of Implementation Procedures:* The City will continue to inspect construction sites in accordance with finalized site inspection protocols and procedures that outline city inspection and enforcement requirements. These procedures will be maintained onsite or in the SWMP and made available to the TCEQ upon request. The City will continue to require corrective action for observed violations and to pursue enforcement when necessary. All follow-up and enforcement actions will be tracked and made available for review to the TCEQ.

*Legal Authority:* See Section 2.4 of this document for a summary of the City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 5-1.

#### **5.2.5 Employee Training**

*Description and Summary of Implementation Procedures:* See section 4.2.7 for a discussion of the Employee Training Program.

*Legal Authority:* See Section 2.4 of this document for a summary of the City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 5-1.

#### **5.2.6 Construction and Demolition Site Maintenance and Erosion and Sediment Control Ordinances**

*Description and Summary of Implementation Procedures:* The City will update the previously adopted ordinance to include the 14-day site stabilization requirement in the new MS4 permit. Previously adopted ordinances will continue to prohibit all discharges except those defined as allowable discharges defined in Section 4.1.2 and allowable non-stormwater discharges defined in Section 4.4. The regulations include enforcement procedures and actions for failing to comply.

*Legal Authority:* See Section 2.4 of this document for a summary of the City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 5-1.

## **5.2.7 Construction Storm Water Runoff Control Criteria Manual**

*Description and Summary of Implementation Procedures:* The City will evaluate and update the City's Construction Runoff Control Criteria Manual and any other related materials to include BMPs that comply with TPDES Permit No. TX040000. The manual will include prohibitions of illicit discharges such as wash out wastewater, fuels, oils, soaps, solvents, and dewatering activities.

*Legal Authority:* See Section 2.4 of this document for a summary of the City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 5-1.

## **5.2.8 Online Citizen Request Form**

*Description and Summary of Implementation Procedures:* See Section 3.3.1 for a discussion of the Citizen Request Form.

*Legal Authority:* See Section 2.4 of this document for a summary of City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 5-1.

### **5.3       SELECTED NEW BMPS**

No new BMPs are required to comply with the January 24, 2019 permit.

<b>Table 5-1 BMPs for Construction Site Runoff Control</b>			
<b>BMP</b>	<b>Activity</b>	<b>Measurable Goals</b>	<b>Completed by (Month and Year) or Frequency of Action</b>
<b>Existing</b>			
Complaint Hotline	See Table 4-1		
Construction Activity Stakeholder Group	See Table 4-1		
Construction Site Plan Review and Approval Procedures	Continue to review plans for compliance with required erosion and sediment control practices.	Review 100% of plans for sites with disturbances larger than one acre. Maintain log of plans reviewed and status. Record number of plans reviewed.	Ongoing
Construction Site Inspections and Enforcement	Conduct site inspections and enforcement.	Inspect 100% of sites with disturbances larger than 1 acre. Maintain log of sites inspected, dates, and findings. Record number of sites inspected.	Inspect while active
Employee Training	Ensure inspectors are trained.	Complete and document activity. Maintain log of attendees.	Annually
Construction and Demolition Site Maintenance and Erosion and Sediment Control Ordinances	Update and adopt ordinance to include 14-day stabilization requirement.	Complete activity.	December 2019
Construction Runoff Control Criteria Manual	Evaluate existing criteria manual relating to construction site runoff and waste disposal controls.	Prepare brief memorandum documenting necessary criteria document additions or changes.	Completed in prior permit cycle.
	Revise and/or adopt existing criteria manual for use by the City.	Complete activity.	Completed in prior permit cycle.
Online Citizen Request Form	See Table 3-1		
Assess Existing Program Elements	See Table 3-1		

## 6.0 POST-CONSTRUCTION STORM WATER MANAGEMENT IN NEW DEVELOPMENT AND REDEVELOPMENT

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The following section presents the permit requirement for the Post-Construction Storm Water Management in New Development and Redevelopment Program. The section describes the existing and new BMPs necessary to implement this program. It describes the measurable goals for each BMP and the due date in months and years (or frequency) for each implementation action. Table 6-1, found at the end of this section, summarizes each BMP, implementation activities, measurable goal, and due dates or frequency of actions. Information about the City regulations that provides the legal authority necessary to implement and enforce this program and all others is provided in combined format in Section 2.4. A summary of written procedures describing how the permittee will implement this program is included in each of the BMPs described in Section 6.2 and 6.3.

### 6.1 PERMIT REQUIREMENTS

The following text is quoted directly from the Small MS4 General Permit, TPDES Permit No. TX040000, dated January 24, 2019. Internal references to other sections of the permit have been maintained. For additional information, please consult Appendix A which contains a copy of the entire permit.

#### 6.1.1 Post-Construction Stormwater Management Program

(1) *All permittees shall 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 that disturb one acre or more, including projects that disturb less than one acre that are part of a larger common plan of development or sale. The program must be established for private and public development sites. The program may utilize an offsite mitigation and payment in lieu of components to address this requirement.*

*Existing permittees shall assess program elements that were described in the previous permit and modify 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 and newly regulated permittees shall have the program fully implemented by the end of the permit term.*

(2) *All permittees shall use, to the extent allowable under state, federal, and local law and local development standards, an ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects. The permittees shall 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. If the construction of permanent structures is not feasible due to space limitations, health and safety concerns, cost effectiveness, or highway construction codes, the permittee may propose an alternative approach to TCEQ. Newly regulated permittees shall have the program element fully implemented by the end of the permit term.*

### **6.1.2 Requirements for all Permittees**

*All permittees shall include the requirements described below in Parts III.B.4.(b)(1)-(3)*

- (1) All permittees shall annually review and update as necessary, the SWMP and MCM implementation procedures required by Part III.A.2. Any changes must be included in the annual report. Such written procedures must be maintained either on site or in the SWMP and made available for inspection by TCEQ.*
- (2) All permittees shall document and maintain records of enforcement actions and make them available for review by the TCEQ.*
- (3) Long-Term Maintenance of Post-Construction Stormwater Control Measures*

*All permittees shall, to the extent allowable under state, federal, and local law, ensure the long-term operation and maintenance of structural stormwater control measures installed through one or both of the following approaches:*

- a. Maintenance performed by the permittee. See Part III.B.5*
- b. Maintenance performed by the owner or operator of a new development or redeveloped site under a maintenance plan. The maintenance plan must be filed in the real property records of the county in which the property is located. The permittee shall require the owner or operator of any new development or redeveloped site to develop and implement a maintenance plan addressing maintenance requirement for any structural control measures installed on site. The permittee shall require operation and maintenance performed is documented and retained on site, such as at the offices of the owner or operator and made available for review by the small MS4.*

### **6.1.3 Additional Requirements for Level 4 Small MS4s**

Not applicable to City which is a Level 2 MS4.

## **6.2 DISCUSSION OF EXISTING BMPS**

### **6.2.1 Complaint Hotline**

*Description and Summary of Implementation Procedures:* See Section 3.2.3 for a discussion of the complaint hotline.

*Legal Authority:* See Section 2.4 of this document for a summary of the City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 6-1.

### **6.2.2 Post-Construction Ordinance**

*Description and Summary of Implementation Procedures:* The City updated stormwater ordinances in August 2009. City ordinances require permanent storm water quality controls in new development and significant redevelopment for sites that are one or more acres in size, including smaller sites that are part of a larger common plan or sale that will disturb one or more acres, including sanctions to ensure compliance, and long-term O&M provisions. The ordinance references and requires adherence to the Permanent Stormwater Quality Best Management Practices Design Criteria Manual. The regulations also define the City's permit and site inspection authority, including enforcement procedures and actions for failing to comply. The City will document and maintain records of enforcement actions and make them available for review by TCEQ.

*Legal Authority:* See Section 2.4 of this document for a summary of the City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 6-1.

### **6.2.3 Development Stakeholder Group**

*Description and Summary of Implementation Procedures:* See Section 3.2.10 for a discussion of the Development Stakeholder Group.

*Legal Authority:* See Section 2.4 of this document for a summary of the City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 6-1.

## **6.2.4 Design Criteria Manual**

*Description and Summary of Implementation Procedures:* The Design Criteria Manual provides requirements for stormwater management, runoff computations, drainage easements, site design and grading, detention, drainage channels, storm sewers, and inlets. The City will evaluate and update the City's Permanent Stormwater Quality Best Management Practices Design Criteria Manual and any other related materials to include BMPs to comply with TPDES Permit No. TXR040000.

*Legal Authority:* See Section 2.4 of this document for a summary of the City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 6-1.

## **6.2.5 Plan Review and Approval Procedures for Post-Construction BMPs**

*Description and Summary of Implementation Procedures:* The City will continue to maintain the post-construction BMP plan review procedures for sites that are one or more acres in size, including smaller sites that are part of a larger common plan or sale that will disturb one or more acres. The plan review process will evaluate the permanent structural and non-structural BMPs proposed for the third-party development to remove pollutants from stormwater runoff from the site for the life of the property. All parties seeking to develop more than 1 acre of property in the City of Universal City will be required to obtain a Post-Construction Stormwater Quality Permit (PCSWQ) from the City. The PCSWQ permit will only be issued if the City approves the plans which illustrate the permanent structural and non-structural BMPs proposed for the third party development to remove pollutants from stormwater runoff from the site along with an *Inspection, Operations, and Maintenance Plan* which illustrates how stormwater quality BMPs will be inspected and maintained. The County will document enforcement actions taken.

*Legal Authority:* See Section 2.4 of this document for a summary of the City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 6-1.

## **6.2.6 Inspections and Long-Term O&M of Permanent Stormwater Quality BMPs for City-Owned Facilities**

*Description and Summary of Implementation Procedures:* In August 2012, the City implemented inspection and long-term operations and maintenance procedures of City owned stormwater quality facilities. The City developed and maintains an inventory of City owned facilities with post-construction BMPs and implemented an inspection process for City owned facilities.

*Legal Authority:* See Section 2.4 of this document for a summary of the City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 6-1.

### **6.2.7 Inspections and Long-Term O&M of Permanent Stormwater Quality BMP for Third Party Owner/Operators**

*Description and Summary of Implementation Procedures:* The City will continue to require annual permit renewal for the Post-Construction Storm Water Quality Permit (described in Section 6.2.5) which requires all completed development sites with permanent BMPs to submit an appropriate renewal fee to the city and a certificate sealed by a professional engineer stating that the BMPs have been maintained in accord with *the City of Universal City Plan Review and Approval Procedures for Long-Term Provisions for Post-Construction Best Management Practices*. The City will maintain a log of permit renewals and will document enforcement actions taken.

*Legal Authority:* See Section 2.4 of this document for a summary of the City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 6-1.

### **6.2.8 Online Citizen Request Form**

*Description and Summary of Implementation Procedures:* See Section 3.3.1 for a discussion of the Citizen Request Form.

*Legal Authority:* See Section 2.4 of this document for a summary of City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 6-1.

### **6.2.9 Assess Existing Program Elements**

*Description and Summary of Implementation Procedures:* See Section 3.3.2

*Legal Authority:* See Section 2.4 of this document for a summary of City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 6-1.

## **6.3 SELECTED NEW BMPS**

No new BMPs are required to comply with the January 24, 2019 permit.

**Table 6-1  
BMPs for Post-Construction Runoff Control**

<b>BMP</b>	<b>Activity</b>	<b>Measurable Goals</b>	<b>Completed by (Month and Year) or Frequency of Action</b>
<b>EXISTING BMPs</b>			
Complaint Hotline	See Table 4-1		
Post-Construction Ordinance	Continue to enforce Post-Construction ordinances	Document and maintain records of enforcement actions.	Completed in prior permit cycle.
Development Stakeholder Group	See Table 3-1		
Design Criteria Manual	Evaluate existing criteria manual relating to new development.	Prepare brief memorandum documenting necessary criteria document additions or changes.	Completed in prior permit cycle.
	Revise existing design criteria manual.	Complete activity.	Completed in prior permit cycle.
Plan Review and Approval Procedures for Post-Construction BMPs	Update post-construction BMP plan review procedures to address water quality and record-keeping system.	Complete activity.	December 2015
	Update plan review training.	Maintain log of training dates and attendance.	June 2016
	Review all regulated post-construction BMP Plans.	Maintain a log of all reviews and action taken.	Ongoing
Inspections and Long-Term O&M of Permanent Stormwater Quality BMPs for City-Owned Facilities	Maintain an inventory of City owned facilities with post-construction BMPs.	Update inventory.	Once per Year
	Inspect City Facilities.	At a minimum, conduct quarterly inspections and maintenance at City operated BMPs. Record dates of inspections, condition of BMPs and O&M activities performed.	Once per Year
Inspections and Long-Term O&M of Permanent Stormwater Quality BMPs for Third Party Owner/Operators	Enforce annual renewal process for Stormwater Quality Permit. Enforce regulations as appropriate.	Review 100% of submitted renewal applications. Maintain log of renewal applications reviewed and status. Document enforcement actions taken.	Review applications on an ongoing basis. Enforce on an ongoing basis.
Online Citizen Request Form	See Table 4-1		
Assess Existing Program Elements	See Table 3-1		

## **7.0 POLLUTION PREVENTION/GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS**

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The following section presents the permit requirement for the Pollution Prevention and Good Housekeeping for Municipal Operations Program. The section describes the existing and new BMPs necessary to implement this program. It describes the measurable goals for each BMP and the due date in months and years (or frequency) for each implementation action. Table 7-1, found at the end of this section, summarizes each BMP, implementation activities, measurable goal, and due dates or frequency of actions. Information about the City regulations that provides the legal authority necessary to implement and enforce this program and all others is provided in combined format in Section 2.4. A summary of written procedures describing how the permittee will implement this program is included in each of the BMPs described in Section 7.2 and 7.3.

### **7.1 PERMIT REQUIREMENTS**

The following text is quoted directly from the Small MS4 General Permit, TPDES Permit No. TXR040000, dated January 24, 2019. Internal references to other sections of the permit have been maintained. For additional information, please consult Appendix A which contains a copy of the entire permit.

#### **7.1.1 Program Development**

(1) *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 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 discharges of pollutants from the MS4 to the MEP. New elements must be fully implemented by the end of this permit term and newly regulated permittees shall have the program fully implemented by the end of this permit term. See also Part III.A.1.(c)*

#### **7.1.2 Requirements for All Permittees**

*All permittees shall include the requirements described below in Parts III.B.5.(1)-(6) in the program:*

(1) *Permittee-Owned Facilities and Control Inventory*

*All permittees shall 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 must 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, but is not limited, to the following, as applicable:*

- a. Composting facilities;*
- b. Equipment storage and maintenance facilities;*
- c. Fuel storage facilities;*
- d. Hazardous waste disposal facilities;*
- e. Hazardous waste handling and transfer facilities;*
- f. Incinerators;*
- g. Landfills;*
- h. Materials storage yards;*
- i. Pesticide storage facilities;*
- j. Buildings, including schools, libraries, police stations, fire stations, and office buildings;*
- k. Parking lots;*
- l. Golf courses;*
- m. Swimming pools;*
- n. Public works yards;*
- o. Recycling facilities;*
- p. Salt storage facilities;*
- q. Solid waste handling and transfer facilities;*

- r. *Street repair and maintenance sites;*
- s. *Vehicle storage and maintenance yards; and*
- t. *Structural stormwater controls.*

(2) *Training and Education*

*All permittees shall inform, or train appropriate employees involved in implementing pollution prevention and good housekeeping practices. All permittees shall maintain a training attendance list for inspection by TCEQ when requested.*

(3) *Disposal of Waste Material*

*Waste materials removed from the small MS4 must be disposed of in accordance with 30 TAC Chapters 330 or 335, as applicable.*

(4) *Contractor Requirements and Oversight*

- a. *Any contractors hired by the permittee to perform maintenance activities on permittee-owned facilities must be contractually required to comply with all of the stormwater control measures, good housekeeping practices, and facility-specific stormwater management operating procedures described in Parts III B.5.(b)(2)-(6).*
- b. *All permittees shall provide oversight of contractor activities to ensure that contractors are using appropriate control measures and SOPs. Oversight procedures must be maintained on-site and made available for inspection by TCEQ.*

(5) *Municipal Operation and Maintenance Activities*

a. *Assessment of permittee-owned operations*

*All permittees shall evaluate operation and maintenance (O&M) activities for their potential to discharge pollutants in stormwater, including but not limited to:*

- (i) *Road and parking lot maintenance, including such areas as pothole repair, pavement marking, sealing, and re-paving;*
- (ii) *Bridge maintenance, including such areas as re-chipping, grinding, and saw cutting;*

- (iii) *Cold weather operations, including plowing, sanding, and application of deicing and anti-icing compounds and maintenance of snow disposal areas; and*
  - (iv) *Right-of-way maintenance, including mowing, herbicide and pesticide application, and planting vegetation.*
- b. *All permittees shall identify pollutants of concern that could be discharged from the above O&M activities (for example, metals; chlorides; hydrocarbons such as benzene, toluene, ethyl benzene, and xylenes; sediment; and trash).*
- c. *All permittees shall develop and implement a set of pollution prevention measures that will reduce the discharge of pollutants in stormwater from the above activities. These pollution prevention measures may include the following examples:*
- (i) *Replacing materials and chemicals with more environmentally benign materials or methods;*
  - (ii) *Changing operations to minimize the exposure or mobilization of pollutants to prevent them from entering surface waters; and*
  - (iii) *Placing barriers around or conducting runoff away from deicing chemical storage areas to prevent discharge into surface waters.*
- d. *Inspection of pollution prevention measures - All pollution prevention measures implemented at permittee-owned facilities must be visually inspected to ensure they are working properly. The permittee shall develop written procedures that describe frequency of inspections and how they will be conducted. A log of inspections must be maintained and made available for review by the TCEQ upon request.*
- (6) *Structural Control Maintenance*
- If BMPs include structural controls, maintenance of the controls must be performed by the permittee and consistent with maintaining the effectiveness of the BMP. The permittee shall develop written procedures that define the frequency of inspections and how they will be conducted.*

### **7.1.3 Additional Requirements for Level 3 and 4 Small MS4s**

Not applicable to City, which is a Level 2 MS4.

#### **7.1.4 Additional Requirements for Level 4 Small MS4s**

Not applicable to City, which is a Level 2 MS4.

### **7.2 DISCUSSION OF EXISTING BMPS**

#### **7.2.1 Spill Response Kits**

*Description and Summary of Implementation Procedures:* The City maintains spill response kits at facilities with activities that have the potential of contributing pollutants to storm water. Facilities will include municipal parking lots and vehicle and equipment maintenance and storage yards. The City will continue to conduct annual audits of these facilities to ensure that: spill response kits are present, facility staff is aware of the kits, and facility staff are trained in the appropriate usage of the kits.

*Legal Authority:* See Section 2.4 of this document for a summary of the City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 7-1.

#### **7.2.2 Pesticide and Herbicide Management**

*Description and Summary of Implementation Procedures:* The City will continue to ensure that staff responsible for handling pesticides and herbicides will maintain appropriate licensing, as required by the Texas Department of Agriculture ("TDA"). Training will be utilized during mowing activities for drainage facilities and at city parks and open spaces.

*Legal Authority:* See Section 2.4 of this document for a summary of the City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 7-1.

#### **7.2.3 Street Sweeping**

*Description and Summary of Implementation Procedures:* The City will continue to sweep each street within the MS4 area. Major roads are swept at least six times annually and all other roads at least four times annually.

*Legal Authority:* See Section 2.4 of this document for a summary of the City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 7-1.

## **7.2.4 O&M Employee Training**

*Description and Summary of Implementation Procedures:* The City will continue training program for City employees working in operations and maintenance jobs. Training activities will utilize the City's *Good Housekeeping Rules Manual* as a primary resource. The training will focus on sources of pollutants to storm water runoff and work methods employees can take to minimize contributions to storm water pollution. Training will also include use of spill response equipment and employee safety. The City will maintain records of training events and attendees' logs.

*Legal Authority:* See Section 2.4 of this document for a summary of the City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 7-1.

## **7.2.5 Good Housekeeping Rules Manual**

*Description and Summary of Implementation Procedures:* In August 2008 the City completed the *Good Housekeeping Rules Manual* for employees that perform activities with the potential to impact water quality. The manual provides checklists and procedures for common municipal activities that may impact storm water quality. Municipal activities related to spill response, storm water system maintenance, vehicle and equipment maintenance, roadway and open space maintenance, waste disposal, waste transfer, and sand/salt storage are addressed in the manual. The manual includes a list of all municipal facilities that may impact runoff quality. The manual also includes procedures relating to operation and maintenance activities. The City will perform an annual audit to ensure that all relevant city activities are described within the manual, and staff is familiar with the manual.

*Legal Authority:* See Section 2.4 of this document for a summary of the City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 7-1.

## **7.2.6 Operation and Maintenance at City Facilities**

*Description and Summary of Implementation Procedures:* The City developed, in August 2008, a program to inspect and maintain City facilities (such as the City Service Centers) to reduce potential impacts from storm water runoff. Maintenance activities include but are not limited to picking up litter, removing oil, placing and storing materials in appropriately designated areas, etc. Operation and maintenance activities and schedules for City owned post-construction BMPs were added to the *Good Housekeeping Rules Manual*.

*Legal Authority:* See Section 2.4 of this document for a summary of the City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 7-1.

### **7.2.7 Disposal of Waste Material**

*Description and Summary of Implementation Procedures:* The City will continue to dispose of waste materials removed from the small MS4 in accordance with 30 TAC Chapters 330 or 335, as applicable. For each disposal activity the City will document the type of waste, the amount of waste, and date, the transporter used, and the destination of the waste.

*Legal Authority:* See Section 2.4 of this document for a summary of the City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 7-1.

### **7.2.8 Maintenance Contractor Requirements and Oversight**

*Description and Summary of Implementation Procedures:* Contractors hired by the City to perform maintenance activities on City owned facilities will be contractually required to comply with all of the stormwater control measures, good housekeeping practices, and facility-specific stormwater management operating procedures implemented by the City. The City will provide adequate oversight of contractor activities to ensure that contractors are using appropriate control measures and standard operating procedures. Oversight procedures will be implemented.

*Legal Authority:* See Section 2.4 of this document for a summary of the City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 7-1.

### **7.2.9 Assessment of City Facilities and Operations**

*Description and Summary of Implementation Procedures:* The City previously evaluated operation and maintenance (O&M) activities for their potential to discharge pollutants in stormwater, including but not limited to: road and parking lot maintenance such as pothole repair, pavement marking, sealing, and re-paving; bridge maintenance; cold weather operations, including plowing, sanding, and application of deicing and anti-icing compounds and maintenance of snow disposal areas; and right-of-way maintenance, including mowing, herbicide and pesticide application, and planting vegetation. Evaluation results were documented in a written report.

*Legal Authority:* See Section 2.4 of this document for a summary of the City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 7-1.

### **7.2.10 Identify Pollutants of Concern at City Facilities**

*Description and Summary of Implementation Procedures:* The City previously identified pollutants of concern that could be discharged from City owned facilities or operations and maintenance activities. Evaluation results were documented in a written report.

*Legal Authority:* See Section 2.4 of this document for a summary of the City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 7-1.

### **7.2.11 Develop Pollution Prevention Measures for City Facilities**

*Description and Summary of Implementation Procedures:* The City will update the previously developed pollution prevention plan for each City-owned facility to include written procedures describing the frequency of inspections and how they will be conducted. . Each pollution prevention plan includes measures that will reduce the discharge of pollutants in stormwater from City-owned facilities.

*Legal Authority:* See Section 2.4 of this document for a summary of the City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 7-1.

### **7.2.12 Inspect City Facilities**

*Description and Summary of Implementation Procedures:* City will visually inspect pollution prevention measures implemented at City owned facilities at a frequency that will be defined in the facility specific pollution prevention plan. The City will maintain a log of inspections.

*Legal Authority:* See Section 2.4 of this document for a summary of the City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 7-1.

### **7.2.13 Maintain Structural Controls at City Owned Facilities**

*Description and Summary of Implementation Procedures:* The City will maintain any structural controls installed at City owned facilities at an appropriate frequency. Frequency will be defined in facility specific pollution prevention plans. Maintenance activities and requirements will be defined in facility specific pollution prevention plans.

*Legal Authority:* See Section 2.4 of this document for a summary of the City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 7-1.

### **7.2.14 Assess Existing Program Elements**

*Description and Summary of Implementation Procedures:* See Section 3.3.2

*Legal Authority:* See Section 2.4 of this document for a summary of City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 7-1.

### **7.2.15 City-Owned Facilities and Control Inventory**

*Description and Summary of Implementation Procedures:* The City previously developed and continues to maintain an inventory of facilities and stormwater controls that the City owns and operates within the regulated area of the MS4. The inventory includes all applicable permit numbers, registration numbers, and authorizations for each facility or controls. The inventory will be available for review by TCEQ and will include, but is not limited, to the following: composting facilities; equipment storage and maintenance facilities; fuel storage facilities; hazardous waste disposal facilities; hazardous waste handling and transfer facilities; incinerators; landfills; materials storage yards; pesticide storage facilities; buildings, including schools, libraries, police stations, fire stations, and office buildings; parking lots; golf courses; swimming pools; public works yards; recycling facilities; salt storage facilities; solid waste handling and transfer facilities; street repair and maintenance sites; vehicle storage and maintenance yards; and structural stormwater controls.

*Legal Authority:* See Section 2.4 of this document for a summary of City of Universal City's legal authority.

*BMP, Implementation Activities, Measurable Goal, and Due Dates or Frequency of Actions:* See Table 7-1.

### 7.3 SELECTED NEW BMPS

No new BMPS are required to comply with the January 24, 2019 permit.

<b>Table 7-1 BMPS for Pollution Prevention/Good Housekeeping</b>			
<b>BMP</b>	<b>Activity</b>	<b>Measurable Goals</b>	<b>Completed by (Month and Year) or Frequency of Action</b>
<b>EXISTING BMPS</b>			
Spill Response Kits	Maintain spill response kits at all City facilities with activities that may contribute pollutants to storm water. Audit facilities to verify.	Document deployment of kits at all inventoried facilities each year.	Annually
Pesticide/Herbicide Management	Maintain pesticide and herbicide certifications for all city applicators.	Track employee certifications for all pesticide/herbicide staff.	Annually
Street Sweeping	Sweep major roads within the MS4.	Maintain log indicating date and location of areas swept.	Six Times per Year
	Sweep minor roads within the MS4.	Maintain log indicating date and location of areas swept.	Four Times per Year
O&M Employee Training	Conduct employee training.	Maintain log of training events and attendees.	One Time Per Year
Good Housekeeping Rules Manual	Perform annual audit to ensure that all relevant city activities are described within the manual.	Maintain log of audit date and results.	Annually
O&M at City Facilities	Inspect and maintain City facilities to reduce potential impacts from storm water runoff. (Pick-up litter, remove oil, etc.)	Record dates of inspection and identify maintenance activities performed.	Frequency of each activity outlined in detail in Good Housekeeping Rules Manual
Disposal of Waste Material	Dispose of waste materials in accordance with 30 TAC Chapters 330 or 335 as applicable.	For each disposal activity, document the type of waste, the amount of the waste, the date, the transporter, and the destination.	Within one week of each disposal activity.
Maintenance Contractor Requirements and Oversight	Develop new standard contract language.	Complete development of new standard contract language that includes appropriate reference to standard operating procedures (SOPs) and stormwater plans.	Completed in prior permit cycle.
	Contractually require service providers to comply with all control measures and operational procedures.	Include standard contract language and SOPs in all new contracts.	Utilize new language in all contracts awarded after December 2016.
	Provide adequate oversight of contractor activities.	Document oversight date, activity, and person.	Within one week of each activity performed by a contractor.

**Table 7-1  
BMPs for Pollution Prevention/Good Housekeeping**

<b>BMP</b>	<b>Activity</b>	<b>Measurable Goals</b>	<b>Completed by (Month and Year) or Frequency of Action</b>
Assessment of City Facilities and Operations	Evaluate operations and maintenance activities at City owned facilities and conducted in the County.	Document results in written report.	Completed in prior permit cycle.
Identify Pollutants of Concern at City Facilities	Identify pollutants of concern at City facilities.	Document results in written report.	Completed in prior permit cycle.
Develop Pollution Prevention Measures for City Facilities	Develop written pollution prevention plan for each City owned facility.	Complete Pollution Prevention Plan.	Completed in prior permit cycle.
Inspect City Facilities	Develop written inspection procedure and check list.	Complete activity.	Completed in prior permit cycle.
	Implement inspections.	Document inspections.	At frequency defined in Facility Pollution Prevention Plans.
Maintain Structural Controls and City Owned Facilities	Conduct required maintenance activities of structural controls.	Document activity.	At frequency defined in Facility Pollution Prevention Plans.
City-Owned Facilities and Control Inventory	Develop inventory of City-owned facilities and stormwater controls within MS4 area.	Complete activity	Completed in prior permit cycle.
	Update inventory of facilities and controls.	Maintain record of updates and additions to facilities and control inventory.	One Time Per Year

## 8.0 PLAN OF COMPLIANCE FOR DISCHARGES TO IMPAIRED WATERS

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The following section provides the City's plan of compliance with the requirements relating to discharges to impaired waters without approved TMDLs. This section presents the permit requirements followed by the City's plan of compliance.

### 8.1 DISCHARGES TO WATERS WITHOUT TMDLS

#### 8.1.1 PERMIT REQUIREMENTS

*[From Small MS4 General Permit, TPDES Permit No. TXR040000, issued January 24, 2019]*

*The permittee shall ... determine whether the permitted discharge is directly to one or more water quality impaired water bodies where a TMDL has not yet been approved by TCEQ and EPA. If the permittee discharges directly into an impaired water body without an approved TMDL, the permittee shall perform the following activities:*

(1) *Discharging a Pollutant of Concern*

- a. *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.*
- b. *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.*
- c. *In addition, the permittee shall submit an NOC to amend the SWMP in accordance with Part II.E.6 to include any additional BMPs to address the pollutant(s) of concern. This requirement does not apply to BMPs implemented to address impaired waters that are listed after permit authorization pursuant to Part II.D.4.*

(2) *Impairment of Bacteria*

*Where the impairment is for bacteria, the permittee shall identify potential significant sources and develop and implement focused BMPs for those sources. The permittee may implement the BMPs listed in Part II.D.4(a)(5) or proposed alternative BMPs as appropriate.*

(3) The annual report must include information on compliance with this section, including results of any sampling conducted by the permittee.

### 8.1.2 PLAN OF COMPLIANCE FOR DISCHARGES TO IMPAIRED WATERS WITHOUT A TMDL

During the preparation of this SWMP the City determined that its permitted MS4 discharges flow directly to certain impaired water bodies where a TMDL has not yet been approved by EPA and where “other control requirements are reasonably expected to result in the attainment of all standards.” The water body segment numbers, segment description, and the type of impairment is shown in Table 8-1 below (TCEQ, 2014).

<b>Table 8-1 - Pollutants of Concern Discharged from MS4 to Impaired Waters</b>			
<b>Segment No.</b>	<b>Name</b>	<b>Description</b>	<b>Impairment</b>
1913_02	Mid Cibolo Creek	From the confluence with unnamed tributary approximately 0.3 miles upstream of Weir Road, Bexar County, up to 100 meters upstream of the Cibolo Creek Municipal WWTP.	Dissolved Oxygen

Based on the information provided by TCEQ on the “Mid Cibolo Creek: A Project for Dissolved Oxygen” website<sup>1</sup> the City has determined that their small MS4 is not a source of pollutants of concern to this water body. According to the TCEQ’s website “the TCEQ determined that since a single regulated discharger was believed to be the primary source of the impairment, it was not necessary to complete and submit a TMDL to the EPA.”

The website explains that “the TCEQ expects that upgrades completed to the discharging facility in 2007 will ameliorate the low dissolved oxygen conditions in the creek. The state will continue to monitor the stream to ensure that the facility upgrades are sufficient to restore conditions that support a healthy aquatic community.”

The TCEQ also states that “in 2008, the dissolved oxygen impairment in Mid Cibolo Creek was removed from the state’s 303(d) list and reclassified in the state’s Water Quality Inventory and List. The dissolved oxygen impairment is assigned to Category 4b, which is the classification for water bodies in which a standard is not met, but for which a TMDL is not required because other control requirements are reasonably expected to result in the attainment of the standards.”

<sup>1</sup> See: <https://www.tceq.texas.gov/waterquality/tmdl/31-midcibolo.html>

The 2014 Texas Integrated Report Index of Water Quality Impairments, approved by EPA, still shows Mid Cibolo Creek as a category 4b water.

## **8.2 DISCHARGES TO WATERS WITH APPROVED TMDLS**

### **8.2.1 PERMIT REQUIREMENTS**

*[From Small MS4 General Permit, TPDES Permit No. TX040000, issued December 13, 2013]*

*If the small MS4 discharges to an impaired water body with an approved TMDL, where stormwater has the potential to cause or contribute to the impairment, the permittee shall include in the SWMP controls targeting the pollutant(s) of concern along with any additional or modified controls required in the TMDL and this section. The SWMP and required annual reports must include information on implementing any targeted controls required to reduce the pollutant(s) of concern as described below:*

*(1) Targeted Controls*

*The SWMP must include a detailed description of all targeted controls to be implemented, such as identifying areas of focused effort or implementing additional Best Management Practices (BMPs) to reduce the pollutant(s) of concern in the impaired waters.*

*(2) Measurable Goals*

*For each targeted control, the SWMP must include a measurable goal and an implementation schedule describing BMPs to be implemented during each year of the permit term.*

*(3) Identification of Benchmarks*

*The SWMP must identify a benchmark for the pollutant(s) of concern. Benchmarks are designed to assist in determining if the BMPs established are effective in addressing the pollutant(s) of concern in stormwater discharge(s) from the MS4 to the maximum extent practicable (MEP). The BMPs addressing the pollutant of concern must be re-evaluated on an annual basis for progress towards the benchmarks and modified as necessary within an adaptive management framework. These benchmarks are not numeric effluent limitations or permit conditions but intended to be guidelines for evaluating progress towards reducing pollutant discharges consistent with the benchmarks. The exceedance of a benchmark is not a permit violation and does not in itself indicate a violation of instream water quality standards. The benchmark must be determined based on one of the following options:*

- a. *If the MS4 is subject to a TMDL that identifies a Waste Load Allocation(s) (WLA) for permitted MS4 stormwater sources, then the SWMP may identify it as the benchmark. Where an aggregate allocation is used as a benchmark, all affected MS4 operators are jointly responsible for progress in meeting the benchmark and shall (jointly or individually) develop a monitoring/assessment plan as required in Part II.D.4(a)(6).*
- b. *Alternatively, if multiple small MS4s are discharging into the same impaired water body with an approved TMDL, with an aggregate WLA for all permitted stormwater MS4s, then the MS4s may combine or share efforts to determine an alternative sub-benchmark value for the pollutant(s) of concern (e.g., bacteria) for their respective MS4. The SWMP must clearly define this alternative approach and must describe how the sub-benchmark value would cumulatively support the aggregate WLA. Where an aggregate benchmark has been broken into sub-benchmark values for individual MS4s, each permittee is only responsible for progress in meeting its sub-benchmark value.*

(4) *Annual Report*

*The annual report must include an analysis of how the selected BMPs will be effective in contributing to achieving the benchmark.*

(5) *Impairment for Bacteria*

*If the pollutant of concern is bacteria, the permittee shall implement focused BMPs addressing the below areas, as applicable, in the SWMP and implement as appropriate. If a TMDL Implementation Plan (I-Plan) is available, the permittee may refer to the I-Plan for appropriate BMPs. The SWMP and annual report must include the selected BMPs. Permittees may not exclude BMPs associated with the minimum control measures required under 40 CFR §122.34 from their list of proposed BMPs. Proposed BMPs will be reviewed by the executive director during the NOI and SWMP review and approval process.*

*The BMPs shall, as appropriate, address the following:*

- a. *Sanitary Sewer Systems*
  - (i) *Make improvements to sanitary sewers to reduce overflows;*
  - (ii) *Address lift station inadequacies;*
  - (iii) *Improve reporting of overflows; and*

(iv) *Strengthen sanitary sewer use requirements to reduce blockage from fats, oils, and grease.*

b. *On-site Sewage Facilities (for entities with appropriate jurisdiction)*

(i) *Identify and address failing systems; and*

(ii) *Address inadequate maintenance of On-Site Sewage Facilities (OSSFs).*

c. *Illicit Discharges and Dumping*

*Place additional effort to reduce waste sources of bacteria; for example, from septic systems, grease traps, and grit traps.*

d. *Animal Sources*

*Expand existing management programs to identify and target animal sources such as zoos, pet waste, and horse stables.*

e. *Residential Education*

*Increase focus to educate residents on:*

(i) *Bacteria discharging from a residential site either during runoff events or directly;*

(ii) *Fats, oils, and grease clogging sanitary sewer lines and resulting overflows;*

(iii) *Maintenance and operation of decorative ponds; and*

(iv) *Proper disposal of pet waste.*

(6) *Monitoring or Assessment of Progress*

*The permittee shall develop a Monitoring/Assessment Plan to monitor or assess progress in achieving benchmarks and determine the effectiveness of BMPs and shall include documentation of this monitoring or assessment in the SWMP and annual reports. In addition, the SWMP must include methods to be used.*

a. *The permittee may use either of the following methods to evaluate progress towards the benchmark and improvements in water quality in achieving the water quality standards as follows:*

i. *Evaluating Program Implementation Measures*

*The permittee may evaluate and report progress towards the benchmark by describing the activities and BMPs implemented, by identifying the appropriateness of the identified BMPs, and by evaluating the success of implementing the measurable goals. The permittee may assess progress by using program implementation indicators such as: (1) number of sources identified or eliminated; (2) decrease in number of illegal dumping; (3) increase in illegal dumping reporting; (4) number of educational opportunities conducted; (5) reductions in sanitary sewer flows (SSOs); or, (6) increase in illegal discharge detection through dry screening, etc.; or*

ii. *Assessing Improvements in Water Quality*

*The permittee may assess improvements in water quality by using available data for segment and assessment units of water bodies from other reliable sources, or by proposing and justifying a different approach such as collecting additional instream or outfall monitoring data, etc. Data may be acquired from TCEQ, local river authorities, partnerships, and/or other local efforts as appropriate.*

- b. *Progress towards achieving the benchmark shall be reported in the annual report. Annual reports shall report the benchmark and the year(s) during the permit term that the MS4 conducted additional sampling or other assessment activities.*

(7) *Observing no Progress Towards the Benchmark*

*If, by the end of the third year from the effective date of the permit, the permittee observes no progress toward the benchmark either from program implementation or water quality assessments as described in Part II.D.4(a)(6), the permittee shall identify alternative focused BMPs that address new or increased efforts towards the benchmark or, as appropriate, shall develop a new approach to identify the most significant sources of the pollutant(s) of concern and shall develop alternative focused BMPs for those (this may also include information that identifies issues beyond the MS4's control). These revised BMPs must be included in the SWMP and subsequent annual reports.*

*Where the permittee originally used a benchmark value based on an aggregated WLA, the permittee may combine or share efforts with other MS4s discharging to the same watershed to determine an alternative sub-benchmark value for the pollutant(s) of concern for their respective*

*MS4s, as described in Part II.D.4(a)(3)(b) above. Permittees must document, in their SWMP for the next permit term, the proposed schedule for the development and subsequent adoption of alternative sub benchmark value for the pollutant(s) of concern for their respective MS4s and associated assessment of progress in meeting those individual benchmarks.*

**8.2.2 WATERS WITH APPROVED TMDLS THAT RECEIVE DISCHARGES FROM THE UNIVERSAL CITY MS4**

During the preparation of this SMWP, the City reviewed the TCEQ’s summary of water bodies that have an EPA approved TMDLs and found no receiving waters with approved TMDLs.

<b>Table 8-2 – Waters with Approved TMDLs Receiving Discharges from the MS4</b>		
<b>Segment No.</b>	<b>Name</b>	<b>Pollutant</b>
None	None	None

## 9.0 RECORD-KEEPING AND REPORTING

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The City shall conduct record-keeping and adhere to reporting requirements mandated by the TCEQ General Permit as defined below:

### 9.1 RECORD KEEPING (PART IV, SECTION A)

1. *The permittee shall retain all records, a copy of this TPDES general permit, and records of all data used to complete the application (NOI) for this general permit and satisfy the public participation requirements, for a period of at least three (3) years, or for the remainder of the term of this general permit, whichever is longer. This period may be extended by request of the executive director at any time.*
2. *The permittee shall submit the records to the executive director only when specifically asked to do so. The SWMP required by this general permit (including a copy of the general permit) must be retained at a location accessible to the TCEQ.*
3. *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. However, all requests for records from federal facilities must be made in accordance with the Freedom of Information Act.*
4. *The period during which records are required to be kept shall be automatically extended to the date of the final disposition of any administrative or judicial enforcement action that may be instituted against the permittee.*

### 9.2 REPORTING (PART IV, SECTION B)

#### 9.2.1 General Reporting Requirements (Section B.1)

- (a) *Noncompliance Notification.*

*According to 30 TAC § 305.125(9), any noncompliance which may endanger human health or safety, or the environment, must be reported by the permittee to the TCEQ. Report of such information must be provided orally or by electronic facsimile transmission (FAX) to the TCEQ Regional Office within 24 hours of becoming aware of the noncompliance. A written report must be provided by the permittee to the appropriate TCEQ Regional Office and to the TCEQ*

Enforcement Division (MC-224) within five working days of becoming aware of the noncompliance. The written report must contain:

- (1) A description of the noncompliance and its cause;
- (2) The potential danger to human health or safety, or the environment;
- (3) The period of noncompliance, including exact dates and times;
- (4) If the noncompliance has not been corrected, the anticipated time it is expected to continue; and
- (5) Steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance, and to mitigate its adverse effects.

(b) *Other Information*

*When the permittee becomes aware that it either submitted incorrect information or failed to submit complete and accurate information requested in an NOI, NOT, or NOC, or any other report, the permittee shall promptly submit the facts or information to the executive director.*

### **9.2.2 ANNUAL REPORT (Section B.2)**

*The MS4 operator shall submit a concise annual report to the executive director within 90 days of the end of each reporting year. For the purpose of this section, 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. The annual report must address the previous reporting year.*

*The first reporting year for annual reporting purposes shall begin on the permit effective date and shall last for a period of one (1) year (the end of the "permit year"). Alternatively, if the permittee elects to report based on its fiscal year, the first reporting year will last until the end of the fiscal year following the end of the first permit year. If the permittee elects to report based on the calendar year, then the first reporting year will last until December 31, 2014.*

**The MS4 has selected the "calendar year" as the reporting year. The Annual Report is, therefore, due on March 31 each year beginning with March 31, 2020 (90 days after December 31, 2019).**

*Subsequent calendar years will begin at the beginning of the first reporting year (which will vary based on the previous paragraph) and last for one (1) year. The MS4 operator shall also make a copy of the annual report readily available for review by TCEQ personnel upon request. The report must include:*

- (a) *The status of the compliance with permit conditions, an 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;*
- (b) *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;*
- (c) *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;*
- (d) *A summary of the stormwater activities the MS4 operator plans to undertake during the next reporting year;*
- (e) *Proposed changes to the SWMP, including changes to any BMPs or any identified measurable goals that apply to the program elements;*
- (f) *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. For waters that are listed as impaired after discharge of authorization pursuant to Part II.D.4., include a list of such waters and the pollutant(s) causing the impairment, and a summary of any actions taken to comply with the requirements of Part II.D.4.b.;*
- (g) *Notice that the MS4 operator is relying on another government entity to satisfy some of its permit obligations (if applicable);*
- (h) *The number of construction activities where the small MS4 is the operator and authorized under the 7th optional MCM, including the total number of acres disturbed; and*
- (i) *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 MCM.*

*MS4s authorized under the previous version of the permit must prepare an annual report whether or not the NOI and SWMP have been approved by the TCEQ. If the permittee has either not implemented the SWMP or not begun to implement the SWMP because it has not received approval of the NOI and SWMP, then the annual report may include that information.*

*If permittees share a common SWMP, they shall contribute to and submit a single system-wide report. Each permittee shall sign and certify the annual report in accordance with 30 TAC § 305.128 (relating to Signatories to Reports).*

*The annual report must be submitted with the appropriate TCEQ reporting forms if available, or as otherwise approved by TCEQ.*

*The annual report must be submitted to the following address:*

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

*A copy of the annual report must also be submitted to the TCEQ Regional Office that serves the area of the regulated small MS4, except if the report is submitted electronically.*

*Effective December 21, 2020, annual reports must be submitted using the online electronic reporting system available through the TCEQ website unless the permittee requests and obtains an electronic reporting waiver.*

## 10.0

## REFERENCES

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