Prepared for the City of Kennedale

City of Kennedale, Texas
Stormwater Management Program

AVO 56591.001
February 2025 (Revised February 2026)

halff

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City of Kennedale, Texas
Stormwater Management Program

Developed to comply with the requirements of

Texas Pollutant Discharge Elimination System

General Permit No. TXR040000

Stormwater Phase II MS4 Permit Authorization No. TXR040830

AVO 56591.001
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BMP	Best Management Practice
CWA	Clean Water Act
EPA	United States Environmental Protection Agency
ISWM	Integrated Stormwater Management
MCM	Minimum Control Measure
MEP	Maximum Extent Practicable
MS4	Municipal Separate Storm Sewer System
NOC	Notice of Change
NOI	Notice of Intent
NOT	Notice of Termination
NPDES	National Pollutant Discharge Elimination System
SWMP	Stormwater Management Program
SWPPP	Stormwater Pollution Prevention Plan
TCEQ	Texas Commission on Environmental Quality
TPDES	Texas Pollutant Discharge Elimination System
UA	Urbanized Area

1. Introduction

1.1 REGULATORY REQUIREMENT

The U.S Environmental Protection Agency (EPA) issued regulations in 1999 to protect stormwater quality in small municipalities located in urbanized areas. In Texas, the Texas Commission on Environmental Quality (TCEQ) was delegated the responsibility for implementing the regulations, commonly called the Phase II Stormwater Program. TCEQ issued the first permit for stormwater discharges from Phase II communities, commonly called small municipal separate storm sewer systems (MS4s), under the Texas Pollutant Discharge Elimination System (TPDES) on August 13, 2007. The City of Kennedale (City) was one of several hundred small MS4s that was covered under this first permit through December 13, 2013. The General Permit (Permit) was amended and renewed to cover small MS4 communities through December 2028. With the expiration of this permit and subsequent amendment and renewal of the Permit on August 15th, 2024, the City is required to review and update its Stormwater Management Program (SWMP) to comply with the renewed permit. The updated SWMP is to be submitted to TCEQ by February 11, 2025. Existing program elements will be reviewed and revised as necessary. The City must fully implement any new elements in the revised SWMP as soon as practicable, but no later than five years from the permit effective date per *Part IV.C.1 of the Permit*. The City, authorized under any previous TPDES Small MS4 General Permit TXR040000, must continue to implement existing elements in their latest TCEQ-approved SWMP until the renewal Notice of Intent (NOI) has been approved per *Part IV.C.1 of the Permit*.

The City of Kennedale has prepared this SWMP in compliance with the TCEQ requirements of the TPDES General Permit No. TXR040000. This SWMP contains revisions to best management practices (BMPs) to include any new or revised permit requirements. The City will implement these BMPs to reduce stormwater pollution to the "maximum extent practicable," (MEP) per SWMP general requirements.

The City is identified as a level 1 operator according to the 2020 census by the U.S. Census Bureau, which is less than 10,000 people. The City is required to participate in minimum control measure (MCM) 1 through MCM 6. MCM 7 only applies to Level 4 small MS4s so this MCM does not apply to the City due to being a Level 1 operator. The City has the option of participating in MCM 8, authorization for construction activities where the small MS4 is the site operator. The City has elected not to participate in MCM 8.

The SWMP sets measurable goals and provides a schedule for the implementation of the BMPs for each of the six MCMs that are required by the Permit. The six required MCMs are:

1. Public Education and Outreach
2. Public Involvement / Participation
3. Illicit Discharge Detection and Elimination
4. Construction Site Stormwater Runoff Control
5. Post-Construction Stormwater Management in New Development and Redevelopment
6. Pollution Prevention and Good Housekeeping for Municipal Operations

According to *Part IV* of the Permit this stormwater quality program requires that the City of Kennedale:

- Reduce the discharge of pollutants to the maximum extent practicable (MEP);
- Protect water quality;
- Satisfy the appropriate water quality requirements of the Clean Water Act (CWA) and the Texas Water Code (TWC); and,
- Manage stormwater quality activities through the SWMP.

The City will review the implementation progress each year and modify the SWMP as necessary. The City will review its SWMP and prepare the annual reports annually required by *Part V.B.2*. The results and date(s) of this review must be documented in annual reports.

1.2 WATER QUALITY

Stormwater and Water Quality in Texas

Stormwater affects the quality of water in urban lakes, rivers, neighborhood creeks, and storm drains. These drainageways, both natural and man-made, effectively remove stormwater runoff from urban areas. In Texas, storm drain systems are separate from sewage systems, and typically untreated stormwater runoff flows directly to the nearest waterbody. Any pollutants such as pesticides, oil, detergents, and bacteria that are present on urban land, streets, or other surfaces are picked up in stormwater runoff and discharged into natural drainageways.

The TCEQ is charged through federal mandate with protecting water quality within the State. TCEQ's approach to this mandate includes measuring water quality at locations across the state, determining if the quality in streams, lakes, and creeks is acceptable, and implementing plans to clean up water bodies that are negatively impacted.

The Texas Surface Water Quality Standards are rules set by TCEQ and designed to establish goals for water quality throughout the state and provide a basis for regulatory programs to attain those goals. Water quality standards serve to signal a situation where water quality may be inadequate to meet the use or uses of a particular water body. Four broad categories for water use are defined in Texas: aquatic life use, contact recreation, public water supply, and fish consumption. These are known as "designated uses". Most major rivers and streams in the State have been classified with designated uses but many smaller streams have not been classified and do not have associated designated uses.

Testing every waterbody across the state for all possible pollutants would be cost-prohibitive. Therefore, assessments are performed by evaluating water quality indicators. These indicators are an indirect measure of the health or quality of a particular part of the aquatic system. Some indicators, such as the health of fish communities, are tied to specific designated uses, while others such as nutrients are not. Some of the most common indicators used by the TCEQ to determine the quality of water bodies include bacteria, dissolved oxygen, dissolved solids, metals, and organic substances.

If the indicator data published in the Texas Water Quality Inventory (305(b) report) reveal that water quality is inadequate to meet the goals of the water body's designated use, TCEQ puts the water body on the State's 303(d) list. This list is required by the federal Clean Water Act and is submitted to EPA for approval. Some water bodies put on the list have a Total Maximum Daily

Load (TMDL) established. The TMDL is an intensive assessment of the root cause of poor water quality and serves as the basis for development of a plan by local stakeholders to remediate pollution sources.

In *Part III* of the renewed Permit, requirements for MS4s that are discharging to impaired water bodies are listed. Two conditions include:

1) MS4s which discharge to impaired waters with an approved TMDL
2) MS4s which directly discharge to impaired waters in which a TMDL has not yet been approved.

In the first condition, the MS4 need only be located within the contributing watershed to the waterbody with the approved TMDL. In the second condition, the MS4 must directly discharge into the impaired waterbody.

Water Quality in the Kennedale Area

Kennedale is located in the north central Texas region within the limits of Tarrant County just south of Interstate 20 along Highway 287 between southeast Fort Worth and southwest Arlington. Kennedale is within the Dallas Fort Worth Arlington “urban area with a population of at least 50,000 people” and shares city boundaries with Arlington, Fort Worth, Forest Hill, and Tarrant County. Kennedale's city limits are identified in their storm drain map in Figure 1.

The City of Kennedale is a growing city that incorporates approximately 6.7 square miles. Kennedale is comprised primarily of single-family development and industrial land use. The 2020 census population of Kennedale was 8,517, and the current population is approximately 10,000. The 2020 census population will be used for this SWMP to determine operator level.

Kennedale is located in the West Fork Trinity River basin. The main receiving streams for the City are Village Creek (Segment 0828A) and Kee Branch (Segment 0841M) which are both impaired due to bacteria. Stormwater from Village Creek (Segment 0828A) flows through Lake Arlington (Segment 0828) to Village Creek (Segment 0841T), and stormwater from Kee Branch (Segment 0841M) flows through Rush Creek (Segment 0841R) to Village Creek (Segment 0841T). The State classified water body that ultimately receives the discharge from Kennedale from Village Creek (Segment 0841T) is Lower West Fork Trinity River (Segment 0841), which is impaired by dioxin and PCBs in edible tissue.

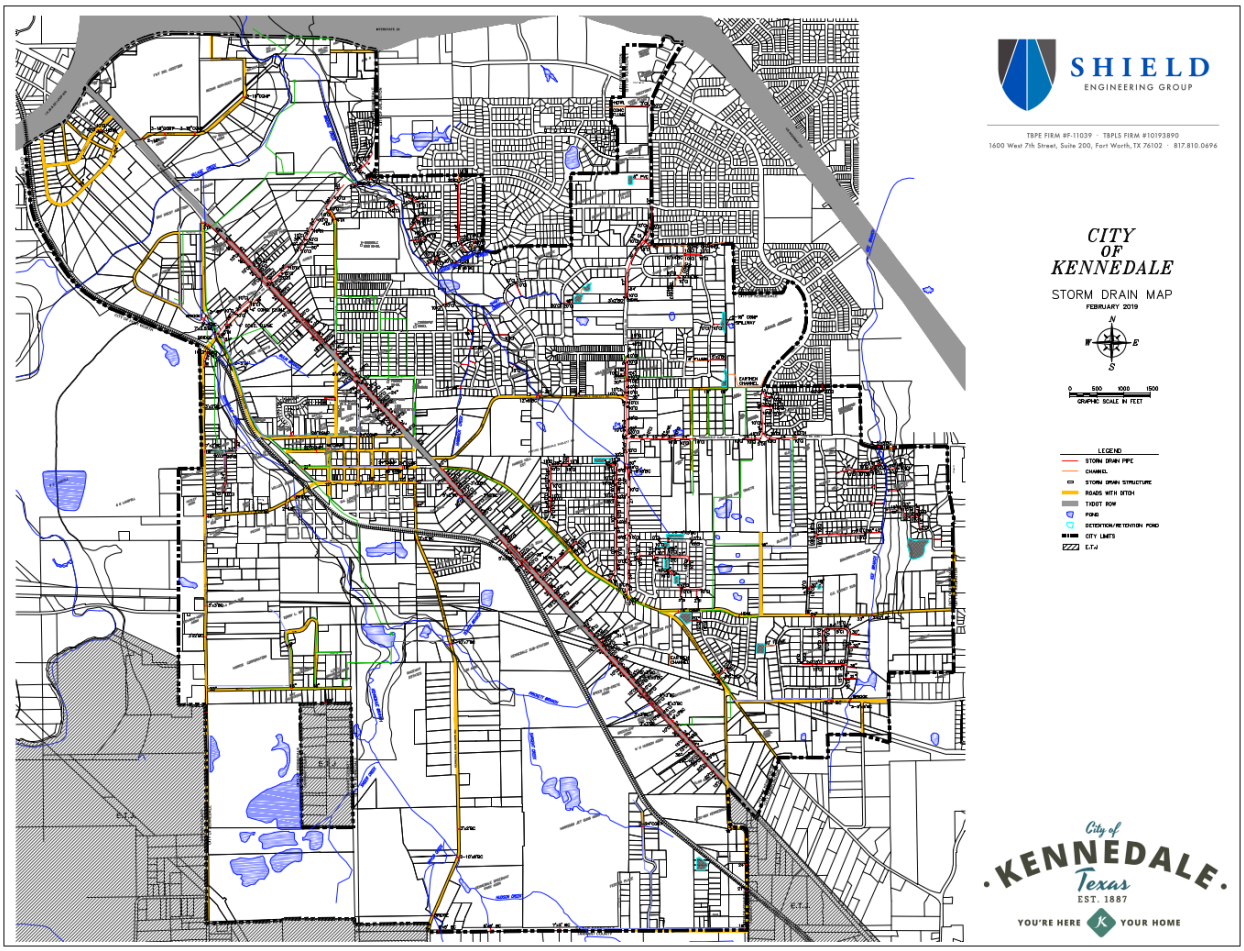

Figure 1: Kennedale Storm Drain Map

2. Program Overview

2.1 BACKGROUND INFORMATION FOR THE CITY OF KENNEDALE

The City of Kennedale, located in Tarrant County Texas, is part of the DFW Metropolitan area. The City has implemented a comprehensive SWMP as part of its Municipal Separate Storm Sewer System (MS4) permit. This program focuses on reducing stormwater pollution and protecting water quality through various best management practices (BMPs).

2.2 STORMWATER MANAGEMENT PROGRAM DEVELOPMENT

The City is required to update its 2019 SWMP to describe additional actions included in the 2024 permit requirements that continue to reduce pollutants and protect receiving water quality. This SWMP also establishes measurable goals and provides a schedule for the implementation of new BMPs over the permit term. BMPs from the City's 2019 SWMP have been reviewed and are included in the 2024 SWMP, as appropriate.

The City's hydrology and water quality concerns have been considered in developing this SWMP. The Plan herein describes the development and implementation of the SWMP. In preparing this Plan, the City has considered activities, both from the public and private sectors, that have stormwater impacts. Some of the municipal departments that have been identified as having stormwater impacts include Public Works, Police, Fire, and Parks and Recreation.

This SWMP includes the six MCMs required by the Permit. Each of the six required MCMs includes a summary that outlines the TCEQ requirements for that component of the plan. The summary is followed by specific BMPs that include measurable goals with target dates and identify the City department responsible for overseeing implementation.

2.3 PUBLIC REVIEW AND COMMENT OF THE STORMWATER MANAGEMENT PROGRAM

In accordance with the General Permit TXR040000, the SWMP is available for review at Kennedale's City Hall, located at 405 Municipal Drive, Kennedale, Texas 76060.

2.4 RESPONSIBILITY

The City of Kennedale Public Works Department is responsible for implementing, updating and tracking progress towards the goals and objectives of this SWMP.

3. City of Kennedale Stormwater Management Program

3.1 INTRODUCTION

The City of Kennedale's SWMP must address the six MCMs outlined in TCEQ's General Permit TXR040000 for small municipal separate storm sewer systems (MS4s). Each MCM has permit requirements, which are actions that the City needs to take to maintain compliance with the Permit.

Kennedale is committed to its proactive approach to stormwater management in order to be good environmental stewards and to protect the community's health and welfare. Based on the Permit's requirements and recommendations, the following recommended actions are categorized by the six MCMs.

3.2 MCM 1 - PUBLIC EDUCATION AND OUTREACH

Public education and outreach can be accomplished in a number of different ways which makes it accessible to citizens. Based on previous experience, the City has found that the City website, newsletters, printed materials, and brochures distributed at City Hall are effective ways to reach residents.

General Permit Requirements:

The City of Kennedale shall implement a public education and outreach program to distribute educational materials to the community and conduct equivalent outreach about the impacts of stormwater discharges on water bodies and the steps that the public can take to reduce pollutants in stormwater runoff.

Target Audiences

The City of Kennedale shall address target audiences within the small MS4 service area. The target audiences for the City are residents, including single family and multifamily, and business owners. Since the City of Kennedale is a Level 1 small MS4 operator, there is no requirement for additional target audiences within the small MS4 service area.

Target Pollutants

According to *Part IV.D.1.(a)(2)*, the City of Kennedale, as a small MS4 operator shall target at least one specific pollutant(s) per target audience in the City's education program. The City may implement more than one target pollutant where desired or appropriate to address pollutants in stormwater discharges to the MEP. The target pollutant must be appropriate for the City's target audience. The same pollutant may be used for more than one target audience, and the target pollutant(s) may change annually as needed.

The City has identified the following pollutants of concern for their target audiences (residents, including single family and multifamily, and business owners).

Target Pollutants:

1. Illegal disposal of household hazardous waste
2. Pet waste
3. Litter, trash containment, balloon releases

BMPs

The City will implement suitable educational resources as BMPs aligned with the selected pollutants and target audiences. The content of these BMPs will be tailored to the City's audience and address the specific pollutant. BMPs that are carried out throughout the year or permit term can be considered as a single annual BMP. The City will detail how each BMP connects to the target pollutant and audience. If annual reviews indicate that an alternative BMP would be more effective, the City may adjust BMPs during the permit cycle. Any changes will be updated in the SWMP and included in the annual report (*Part IV.D.1.(a)(3)*).

The City will post its SWMP and the annual reports, or a summary of the annual report, on its website. The SWMP will be posted within 30 days after the NOI or Notice of Change (NOC) approval date, and the annual report within 30 days after its due date. Additionally, as a Level 1 operator, the City will implement at least three public education and outreach BMPs from Table 4, from the Permit, over the permit term (*Part IV.D.1.(a)(3)*).

The following are the chosen BMPs for publication and outreach:

1. Information on the MS4 operator's website
2. Fact sheets/brochures/utility bill inserts/door hangers
3. Maintain or mark storm drains and inlets with, "No Dumping – Drains to Creek" or a similar message.

The City will create or support public education and outreach BMPs as outlined in *Part IV.D.1.(a)(3)* of the Permit. To fulfill this requirement, the City will conduct activities such as planning or assisting with the distribution of materials, coordinating volunteers, contributing supplies, materials, tools, or equipment, providing assistance from MS4 staff for material distribution, or providing financial support.

BMP #1.1	MINIMUM CONTROL MEASURE NO. 1 Public Education and Outreach	

Information on the MS4 Operator's Website

Activity: The City will maintain information on their MS4 website. For the City, this is on their Stormwater Program page which can be found through the public works department on the City's website.

Objective: By sharing information on their MS4 website, the City provides transparency and public accessibility regarding the City's stormwater management efforts.

Measurable Goals:

By December 31 of each calendar year (2024):

- Post SWMP on website

By December 31 of each calendar year (2024-2028):

- Maintain a webpage with current and accurate information and working links.
    - All links shall be checked, and the page shall be updated as necessary at a minimum of once annually.
    - Must be maintained for the full year, each year
    - Post SWMP and Annual Reports on website

Documentation:

- Link to stormwater website
- Document any updates to the website
- Post SWMP on the City stormwater website at beginning of permit term
- Post MS4 annual reports on the City stormwater website each year
- Document review of website in annual checklist with date and name of reviewer

BMP #1.2	MINIMUM CONTROL MEASURE NO. 1 Public Education and Outreach	

Maintain or mark storm drains and inlets with, "No Dumping – Drains to Creek" or a similar message.

Activity:

The City will identify and label known stormwater inlets. The City will develop an inventory of the known stormwater inlets, perform annual inspections to confirm that the markers are still visible, and replace markers when necessary.

Objective:

The objective is to inform and educate the community about stormwater management practices and their importance in reducing pollution and protecting water quality through marking storm drains and inlets.

Measurable Goals:

By December 31 of each calendar year (2024-2028):

- Placard, stencil, or paint a minimum of 10% of all known stormwater inlets in either high-impact areas identified by the small MS4 operator or impairment watersheds within the MS4 area each year.
- Where all known stormwater inlets have been marked, inspect, and maintain the markers for a minimum of 15% of all known stormwater inlets in either high-impact areas identified by the small MS4 operator or impairment watersheds within the MS4 area each year.

Documentation:

- Develop inventory of all known stormwater inlets
- Photo of storm drain marker
- Inventory of any storm drains marked throughout the year
- Number of missing or damaged markers replaced each year
- Document review of inventory in annual checklist with date and name of reviewer

BMP #1.3	MINIMUM CONTROL MEASURE NO. 1 Public Education and Outreach	

Fact sheets/brochures/utility bill inserts/door hangers

Activity: The City will develop and annually distribute educational materials such as fact sheets, brochures, utility bill inserts, or door hangers.

Objective: These educational materials will help to inform the community about activities or pollutants of concern.

Measurable Goals:

By December 31 of each calendar year (2026-2028):

- Develop material topics that are group specific and address activities or pollutants of concern.
- Fact sheets, brochures, bill inserts, door hangers, or handouts shall be distributed each year for at least 75% of the intended audience. Develop and implement a tracking system to estimate what percentage of the intended audience is reached for determining BMP effectiveness.

Documentation:

- Materials distributed
    - Track amount printed each year
    - Track amount distributed each year
    - Type of material made available to intended audience
    - Method or event to reach intended audience

3.3 MCM 2 - PUBLIC INVOLVEMENT / PARTICIPATION

The City of Kennedale actively promotes public involvement in its stormwater program, recognizing its role in enhancing program effectiveness and community support. Residents can participate through various channels and provide feedback crucial for program improvement.

General Permit Requirements:

The City will involve the public and adhere to all state and local public notice requirements during the planning and implementation phases of the SWMP. Additionally, the City will foster opportunities or assist in coordinating activities led by citizen groups to engage residents and others in the SWMP. These activities and BMPs must be designed to effectively mitigate stormwater runoff and enhance water quality (*Part IV.D.2*).

This plan details community contributions to stormwater management, with informed citizens crucial for compliance and decision-making. The City ensures public involvement and meets state and local public notice requirements in SWMP planning and implementation. It also fosters citizen engagement through coordinated activities, supporting efforts that improve water quality by reducing stormwater runoff impacts (*Part IV.D.2*).

BMPs

Over the permit term, the City shall implement a minimum number of public involvement / participation activities and measurable goals from Table 5 in the Permit. Since the City is a Level 1 small MS4, they must select two BMPs from previously mentioned Table 5. The following BMPs are the ones chosen by the City that shall be implemented during the permit term.

The following are the chosen BMPs for public involvement / participation:

1. Stream/lake or watershed; clean-up events; litter/trash clean-up events such as Texas Stream Team, Adopt-A-Highway, Adopt-A-Spot, Adopt-A-Street, Adopt-A-Stream, etc.
2. MS4 area-wide stormwater survey for input on program implementation.

The City will support public involvement/participation BMPs as outlined in *Part IV.D.2.(b)* of the Permit. Support for coordinating groups by the small MS4 operator shall at minimum conduct at least one of the following or similar:

1. Plan, or assist with planning, the event or activity;
2. Contribute supplies, materials, tools, or equipment;
3. Provide assistance from MS4 staff during the activity;
4. Provide assistance with recruiting volunteers for events;
5. Make a space available for projects, meetings, or events;
6. Advertisement for the events;
7. Supply disposal services;
8. Arrange land or stream access;
9. Provide financial support; or
10. Provide donations of goods and services such as food.

BMP #2.1	MINIMUM CONTROL MEASURE NO. 2 Public Involvement / Participation	

Stream/lake or watershed clean-up events; litter/trash clean-up events such as Texas Stream Team, Adopt-A-Highway, Adopt-A-Spot, Adopt-A-Street, Adopt-A-Stream, etc.

Activity: The City will implement annual events such as Adopt-A-Spot to help clean up streams, lakes, or watersheds in the City.

Objective: The objective of BMP clean-up events, like Texas Stream Team and Adopt-A-Spot programs, is to enhance water quality by removing pollutants and debris from streams, lakes, watersheds, and surrounding areas. These initiatives encourage community participation, promote environmental stewardship, and support ecosystem health.

Measurable Goals:

By December 31 of each calendar year (2024-2028):

Host or support at a minimum one event for level 1 and 2 MS4s or two events for level 3 and 4 MS4s annually.

- To be considered an event, the land area cleaned must be a minimum of:
  - two acres,
  - 400 yards of steam/streambank/riparian area, or
  - two miles of roadside
- These may be combined (such as one acre of land and 200 yards of stream).

Documentation:

- Copy of advertisements of the events
  - Social Media Posts
  - Flyers
- Summary of the efforts the event achieved
  - Amount of Volunteers
  - Estimated Hours
  - Bags filled
  - Bag sizes

BMP #2.2	MINIMUM CONTROL MEASURE NO. 2 Public Involvement / Participation	

MS4 area-wide stormwater survey for input on program implementation

Activity: The City will send out an annual MS4 area-wide stormwater public survey for input on program implementation.

Objective: The objective is to gather input from residents and stakeholders to evaluate and improve stormwater management practices, community needs, and promoting engagement in the MS4 program.

Measurable Goals:

By December 31 of each calendar year (2024-2028):

- Provide a minimum of one public survey annually for input on the program implementation to be distributed to reach at least 75% of the intended audience. Develop and implement a tracking system to estimate what percentage of the intended audience is reached for determining BMP effectiveness.

Documentation:

- Copy of the public survey
- Documentation of the method the survey was distributed.
    - Example - copy of the email sent to the intended audience to distribute the survey

3.4 MCM 3 - ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE)

Illicit discharges into the City's stormwater system pose significant environmental and public health risks. These discharges, often consisting of contaminants and pollutants from non-stormwater sources, can degrade water quality and harm aquatic ecosystems. The City is committed to developing, implementing, and enforcing a comprehensive program to detect, investigate, and eliminate illicit discharges.

General Permit Requirements:

Program Development

The City will create, execute, and enforce a program aimed at investigating, detecting, and eliminating illicit discharges into the small MS4. This program must incorporate a strategy to identify and manage non-stormwater discharges, including illegal dumping (*Part IV.D.3*). The Illicit Discharge Detection and Elimination (IDDE) program must incorporate a current and accurate MS4 map, methods for informing and training MS4 field staff, methods for facilitating public reporting of illicit discharges and illegal dumping, procedures for responding to illicit discharge, illegal dumping, and spills, procedures for tracing and removing the source of illicit discharges and illegal dumping, conducting inspections in response to complaints and follow-up inspections, and procedures for inspections (*Part IV.D.3*).

"If another MS4 operator notifies the City of an illegal connection, illegal dumping, or illicit discharge to the small MS4, then the City shall follow the requirements specified in *Part IV.D.3.(c)(5)* of the Permit".

Allowable Non-Stormwater Discharges

Non-stormwater discharges specified in Part II.D of the Permit are not required to be treated as illicit discharges needing elimination by the City, unless the City or the TCEQ determines that the discharge significantly contributes pollutants to the small MS4. (*Part IV.D.3.(b)*)

Requirements

According to *Part IV.D.3.(c)*, the City must meet specific requirements, including maintaining a current and accurate MS4 map on site for TCEQ review. The map must show the location of all small MS4 outfalls discharging into U.S. waters, the receiving surface waters, and any priority areas, if applicable. The City must also educate and train field staff to recognize and report illicit discharges, illegal dumping, or illicit connections, and keep training materials and attendance lists available for TCEQ review. Public reporting must be facilitated through a central contact point for complaints and spill reporting. Procedures for responding to illicit discharges, illegal dumping, and spills must be developed and maintained on site. Upon becoming aware of illicit discharges or illegal dumping, the City must prioritize investigations based on pollution risk, report immediate threats to TCEQ, and document all investigations. If the source is within the City's jurisdiction, they must notify the responsible party to perform corrective actions and conduct follow-up inspections to ensure compliance. If the source extends outside their boundary, adjacent MS4 operators or the TCEQ Regional Office must be notified. The City must also develop written procedures for conducting and following up on inspections.

BMPs

Over the permit term, the City shall implement a number of illicit discharge detection and elimination activities and measurable goals from Table 6 in the Permit. Since the City is a Level

1 small MS4 they must implement all BMPs from previously mentioned Table 6 during the permit term.

The following are the BMPs for illicit discharge detection and elimination:

1) Maintain a current and accurate MS4 map
2) Conduct training for all the permittee's field staff
3) Maintain and publicize a public reporting method for the public to report illicit discharges, illegal dumping, or water quality impacts associated with discharges into or from the small MS4 such as a reporting hotline, online form, or other similar mechanism
4) Develop and maintain procedures for responding to illicit discharges, illegal dumping, and spills
5) Source investigation and elimination of illicit discharges and illegal dumping
6) Corrective action to eliminate illicit discharges and illegal dumping
7) Inspection Procedures
8) Inspections in response to complaints

BMP #3.1	MINIMUM CONTROL MEASURE NO. 3 Illicit Discharge Detection and Elimination	

Maintain a current and accurate MS4 map as described in Part IV.D.3.(c)(1).

Activity:

The City will assess and revise a map, typically on an annual basis, to incorporate any new additions, removals, or changes to its features or components as necessary.

Objective:

The objective is to keep an up-to-date map by periodically reviewing and making necessary updates to incorporate any changes, additions, or removals of features.

Measurable Goals:

By December 31 of each calendar year (2024-2028):

- Review and update, as necessary, at least one time annually to include features which have been added, removed, or changed.

Documentation:

- Copy of MS4 Map – located in Public Works Department
- Document any revisions made to MS4 Map
    - Save new copy with updated date on the map
- Document review of MS4 Map in annual checklist with date and name of reviewer

BMP #3.2	MINIMUM CONTROL MEASURE NO. 3 Illicit Discharge Detection and Elimination	

Conduct training for all the permittee's field staff as described in Part IV.D.3.(c)(2).

Training may be conducted in person or using self-paced training materials such as videos or reading materials.

Activity:

The City will conduct annual training for all MS4 field staff to detect and address illicit discharges, illegal dumping, and illicit connections.

Objective:

The objective of annual training is to equip staff to quickly recognize and report illicit discharges, illegal dumping, or illicit connections in the storm sewer system. This training aims to protect water quality, prevent environmental harm, and uphold regulatory standards effectively.

Measurable Goals:

By December 31 of each calendar year (2024-2028):

- Conduct a minimum of one training annually for 100% of MS4 field staff that may come into contact with or otherwise observe an illicit discharge, illegal dumping, or illicit connection to the small MS4 as part of their normal job responsibilities.

Documentation:

- Copy of training materials and methods used
- Attendance sheets from the training attended
- Date training occurs
- Certification received, if applicable

BMP #3.3	MINIMUM CONTROL MEASURE NO. 3 Illicit Discharge Detection and Elimination	

Maintain and publicize a public reporting method for the public to report illicit discharges, illegal dumping, or water quality impacts associated with discharges into or from the small MS4 such as a reporting hotline, online form, or other similar mechanism as described in Part IV.D.3.(c)(3).

Activity:

The City must maintain a continuous public reporting mechanism for illicit discharges and illegal dumping throughout the MS4 permit term.

Objective:

The objective is to maintain a reliable means for the public to report illicit discharges, illegal dumping, or illicit connections throughout the MS4 permit term. This will enhance community awareness, prompt reporting of environmental concerns, and promote transparency in managing stormwater quality and regulatory compliance.

Measurable Goals:

By December 31 of each calendar year (2024-2028):

- Maintain a minimum of one public reporting mechanism 100% of the time during the permit term.
- Publicize the public reporting mechanism a minimum of two times annually in a method designed to reach the majority of the intended audience. Develop and implement a tracking system to estimate what percentage of the intended audience is reached for determining BMP effectiveness.
- In addition, if the MS4 operator has a public website, the public reporting mechanism must be publicized on the public website 100% of the time during the permit term.

Documentation:

- Document public reporting mechanism that is available 100% of the time during the permit term
- Document publicization of public reporting mechanism two times annually
- Document website page that contains the public reporting mechanism
- Document public reports received

BMP #3.4	MINIMUM CONTROL MEASURE NO. 3 Illicit Discharge Detection and Elimination	

Develop and maintain procedures for responding to illicit discharges, illegal dumping, and spills as described in Part IV.D.3.(c)(4).

Activity:

The City reviews and updates procedures annually to incorporate changes and enhance protocols as needed so that operational procedures remain effective in managing stormwater and regulatory compliance.

Objective:

The objective is to maintain up-to-date procedures through annual review and updates, adapting to changes and improving protocols as necessary. This supports the City in effectively managing stormwater and complying with regulatory standards.

Measurable Goals:

By December 31 of each calendar year (2024-2028):

- Review and update the procedures at least one time annually to address changes and make improvements to the established procedures where applicable.

Documentation:

- Document any changes or revisions made to the procedures
- Document review of procedures in annual checklist with date and name of reviewer

BMP #3.5	MINIMUM CONTROL MEASURE NO. 3 Illicit Discharge Detection and Elimination	

Source investigation and elimination of illicit discharges and illegal dumping as described in Part IV.D.3.(c)(5).

Activity:

The City responds annually to all known illicit discharges and illegal dumping incidents, investigating sources and notifying relevant agencies as needed.

Objective:

The objective is to promptly respond to and mitigate illicit discharges and illegal dumping incidents to protect public health and the environment, maintain regulatory compliance by involving relevant agencies, and taking immediate action for high-priority incidents.

Measurable Goals:

By December 31 of each calendar year (2024-2028):

- Respond to 100% of known illicit discharges and illegal dumping incidents each year to investigate sources (or some Level 2b MS4s must notify the appropriate agency with the authority to act).
- Respond to 100% of high priority discharges each year, such as sanitary sewer discharges within 24 hours (or some Level 2b MS4s must notify the appropriate agency with the authority to act).
- For 100% of known illicit discharges or illegal dumping incidents where the small MS4 does not have jurisdiction, notify the adjacent MS4 operator or the applicable TCEQ regional office each year.
- Notify TCEQ immediately of 100% of illicit flows believed to be an immediate threat to human health or the environment throughout the permit term.

Documentation:

- Document actions taken for illicit discharges and illegal dumping incidents
- Documentation of any TCEQ notifications
- Document if other MS4 operators were notified
- Documentation of any follow up inspection

BMP #3.6	MINIMUM CONTROL MEASURE NO. 3 Illicit Discharge Detection and Elimination	

Corrective action to eliminate illicit discharges and illegal dumping as described in as described in Part IV.D.3.(c)(5).

Activity:

The City will take corrective action to eliminate illicit discharges and illegal dumping. This involves notifying the responsible party once the source is identified and requiring them to promptly take corrective actions to eliminate the discharge.

Objective:

The objective is to ensure rapid notification and corrective action by responsible parties within 24 hours of identifying illicit discharges or illegal dumping, thereby addressing environmental concerns and maintaining regulatory compliance to protect local water quality.

Measurable Goals:

By December 31 of each calendar year (2024-2028):

- For 100% of illicit discharges or illegal dumping where a source has been determined, notify the responsible party of the problem within 24 hours.
- Require the responsible party to perform all necessary corrective actions to eliminate the illicit discharge.

Documentation:

- Documentation of notification
- Document the corrective actions taken to eliminate the illicit discharge
- Documentation of any follow up inspection

BMP #3.7	MINIMUM CONTROL MEASURE NO. 3 Illicit Discharge Detection and Elimination	

Inspection Procedures as described in Part IV.D.3.(c)(6).

Activity:

The City will update its inspection procedures annually to incorporate changes and improve established protocols as necessary. This helps maintain that the City's inspection processes effectively identify and address environmental compliance issues.

Objective:

The objective is to annually review and update procedures to address changes and enhance established protocols as needed, maintaining the City's responsiveness to evolving environmental standards and effectiveness in managing regulatory compliance.

Measurable Goals:

By December 31 of each calendar year (2024-2028):

- Review and update the procedures at least one time annually to address changes and make improvements to the established procedures where applicable.

Documentation:

- Document any changes or revisions made to the procedures
- Document review of procedures in annual checklist with date and name of reviewer

BMP #3.8	MINIMUM CONTROL MEASURE NO. 3 Illicit Discharge Detection and Elimination	

Inspections in response to complaints as described in Part IV.D.3.(c)(6).

Activity:

The City will conduct inspections in response to all complaints annually, following established procedures. Additionally, the City will also conduct necessary follow-up inspections annually as outlined in its procedures.

Objective:

The objective is to conduct timely inspections for all complaints, notify the appropriate agency when necessary, and perform annual follow-ups as needed. These efforts aim to address community concerns, maintain compliance, and uphold environmental standards.

Measurable Goals:

By December 31 of each calendar year (2024-2028):

- Conduct inspections in response to 100% of complaints each year according to the established procedures (or some Level 2b MS4s must notify the appropriate agency with the authority to act).
- Conduct follow up inspections in 100% of cases each year where necessary as described in the established procedures (except for some Level 2b MS4s without the appropriate authority to act).

Documentation:

- Document actions taken in response to complaints
- Documentation of any follow up inspections

3.5 MCM 4 - CONSTRUCTION SITE STORMWATER RUNOFF CONTROL

In the absence of proper management, construction sites can release significant amounts of sediment into stormwater and eventually into a municipality's stormwater drainage system. Other construction site activities such as storage and handling of construction materials also can release pollutants into the storm drain system. In addition, increases in compaction and impervious surfaces at construction sites impact stormwater. The fact that construction and construction-related activities are occurring in the Kennedale metropolitan area is cause to evaluate the methods and procedures currently in place to address stormwater runoff. Pollutants from construction sites that may impact stormwater runoff include sediment, solid and sanitary wastes, fertilizer, pesticides, oil and grease, truck washout and construction debris.

Construction activities can significantly impact stormwater quality through the discharge of sediments, debris, and other pollutants. The City's SWMP includes a dedicated section on Construction Site Stormwater Runoff Controls, aimed at mitigating these impacts. This section outlines the procedures and BMPs required to manage and control stormwater runoff from construction sites. By enforcing these measures, the City seeks to minimize pollution, protect local water bodies, and maintain compliance with environmental regulations. Effective control of construction site runoff is essential for maintaining water quality and supporting sustainable development within the City.

General Permit Requirements:

Requirements and Control Measures

The City will establish, execute, and enforce a program requiring operators of both small and large construction activities to choose, install, implement, and maintain stormwater control measures to prevent illicit discharges to the maximum extent practicable (MEP). This program must involve creating and enforcing an ordinance or other regulatory mechanism, with sanctions to ensure compliance, as allowed under state, federal, and local law, to mandate erosion and sediment control. If TCEQ waives stormwater discharge requirements for small construction sites, the City is not required to enforce the program for those particular sites. (*Part IV.D.4.(a)*)

Requirements for All Permittees

The City will meet the following requirements. Construction site operators must implement appropriate erosion and sediment control BMPs, ensuring that erosion, sediment controls, soil stabilization, and BMP requirements are effectively implemented for all small and large construction activities discharging to the small MS4, consistent with the TPDES Construction General Permit (CGP), TXR150000. Prohibited discharges include wastewater from concrete washout and water well drilling operations unless managed by appropriate controls, wastewater from the washout and cleanout of stucco, paint, release oils, and other construction materials, fuels, oils, or other pollutants from vehicle and equipment operation and maintenance, soaps or solvents from vehicle and equipment washing, and discharges from dewatering activities unless managed by appropriate BMPs. (*Part IV.D.4.(b)*)

The City must maintain and implement site plan review procedures that detail which plans will be reviewed and when an operator may begin construction. These procedures must incorporate consideration of potential water quality impacts, and the City may not approve any plans unless they contain appropriate site-specific construction site control measures that meet TPDES CGP requirements.

Inspections and enforcement procedures must be implemented for large and small construction projects, focusing on factors such as soil erosion potential, site slope, project size and type, sensitivity of receiving water bodies, proximity to receiving water bodies, non-stormwater discharges, and the operators past records of non-compliance. Inspections must occur during the active construction phase, and the City must develop and implement written procedures outlining inspection and enforcement requirements. These inspections must determine whether the site has appropriate coverage under the TPDES CGP, assess the implementation and maintenance of control measures, ensure compliance with ordinances and regulations, and provide written or electronic inspection reports. Follow-up actions must be taken based on inspection findings to ensure compliance, and all actions must be documented for TCEQ review. (*Part IV.D.4.(b)*)

The City must also develop, implement, and maintain procedures for receiving and considering information submitted by the public and ensure that all staff whose primary job duties relate to implementing the construction stormwater program are informed or trained to conduct these activities. Training may be conducted by the City or by outside trainers. (*Part IV.D.4.(b)*)

BMPs

Over the permit term, the City shall implement all of the construction site stormwater runoff controls activities and measurable goals from Table 9 in the Permit. Since the City is a Level 1 small MS4 they must implement all BMPs from previously mentioned Table 9 during the permit term.

The following are the BMPs for construction site stormwater runoff controls:

1) Develop and maintain an ordinance or other regulatory mechanism
2) Prohibit discharges
3) Maintain and implement site plan review procedures that describe which plans will be reviewed as well as when an operator may begin construction
4) Implement procedures for inspecting large and small construction projects
5) Conduct construction site inspections
6) Develop, implement, and maintain procedures for receipt and consideration of information submitted by the public
7) Conduct training for all the MS4 staff whose primary job duties are related to implementing the construction stormwater program

BMP #4.1	MINIMUM CONTROL MEASURE NO. 4 Construction Site Stormwater Runoff Controls	

Develop and maintain an ordinance or other regulatory mechanism as described in Part IV.D.4.(a).

Activity: The City will develop and maintain an ordinance or other regulatory mechanism.

Objective:

The objective is to establish and maintain a regulatory framework, certifying all plat applicants within the regulated area receive TCEQ requirements to uphold compliance with environmental standards.

Measurable Goals:

By December 31 of each calendar year (2024-2028):

- Review and update the ordinance or other regulatory mechanism at least one time during the permit term to address changes and make improvements to the ordinance where applicable.

Documentation:

- Document revisions made to the ordinance or other regulatory mechanism
- Document review of ordinance / regulatory mechanism in annual checklist with date and name of reviewer

BMP #4.2	MINIMUM CONTROL MEASURE NO. 4 Construction Site Stormwater Runoff Controls	

Prohibit discharges as described in Part IV.D.4.(b)(2).

Activity:

The City will prohibit discharges and maintain ordinance or other regulatory mechanism.

Objective:

The objective is to prevent harmful discharges by enforcing regulations in the regulated area, protecting environmental quality and upholding regulatory standards citywide.

Measurable Goals:

By December 31 of each calendar year (2024-2028):

- Develop and maintain an ordinance or other regulatory mechanism to prohibit these discharges.
- Review and update the ordinance or other regulatory mechanism at least one time during the permit term to address changes and make improvements to the ordinance where applicable.

Documentation:

- Document any changes or revisions made to the ordinance or other regulatory mechanism
- Document review of ordinance / regulatory mechanism in annual checklist with date and name of reviewer

BMP #4.3	MINIMUM CONTROL MEASURE NO. 4 Construction Site Stormwater Runoff Controls	

Maintain and implement site plan review procedures that describe which plans will be reviewed as well as when an operator may begin construction as described in Part IV.D.4.(b)(3).

Activity:

Maintain site plan review procedures by annually updating them to address changes and implementing them for all new construction site plans received each year.

Objective:

The objective is to maintain current and effective site plan review procedures by annually updating them and implementing them for all new construction site plans received each year, maintain regulatory compliance.

Measurable Goals:

By December 31 of each calendar year (2026-2029):

- Review and update site plan review procedures at least one time annually to address changes and make improvements to the established procedures where applicable.
- Implement site plan review procedures for 100% of new construction site plans received each year.

Documentation:

- In the tracking excel spreadsheet,
  - Document review of site plan review procedures with date and name of reviewer
  - Document any changes or revisions to procedures
  - Documentation of site plan review procedures being implemented
- Copy of site development permit application
- Copy of building permit application
  - Commercial
  - Residential

BMP #4.4	MINIMUM CONTROL MEASURE NO. 4 Construction Site Stormwater Runoff Controls	

Implement procedures for inspecting large and small construction projects as described in Part IV.D.4.(b)(4).

Activity:

In the City, implementing inspection procedures for large and small construction projects includes establishing and maintaining protocols, with annual reviews and updates to enhance effectiveness and address changes.

Objective:

The objective is to maintain effective inspection procedures for large and small construction projects through annual reviews and updates. This ensures adaptability to changes and continuous improvement of oversight in City construction activities.

Measurable Goals:

By December 31 of each calendar year (2024-2028):

- Review and update inspection procedures at least one time annually to address changes and make improvements to the established procedures where applicable.

Documentation:

- Document any changes or revisions made to the procedures
- Copy of any form used to do inspections
- Document review of inspection procedures in annual checklist with date and name of reviewer

BMP #4.5	MINIMUM CONTROL MEASURE NO. 4 Construction Site Stormwater Runoff Controls	

Conduct construction site inspections as described in Part IV.D.4.(b)(4).

Activity:

The City will conduct construction site inspections at 80% of active sites within the regulated area annually, following established procedures.

Objective:

The objective is to maintain regulatory compliance and safe construction practices citywide.

Measurable Goals:

By December 31 of each calendar year (2024-2028):

- Conduct inspections at a minimum of 80% of active construction sites annually according to the established procedures.
- Each year, conduct follow up inspections in 100% of cases where necessary as described in the established procedures.

Documentation:

- Documentation the amount and locations of construction site project inspections that took place annually
  - TPDES Inspection
  - Erosion and Sediment Control Inspections
- Completed inspection report forms
- Document the number of SWPPPs submitted annually

BMP #4.6	MINIMUM CONTROL MEASURE NO. 4 Construction Site Stormwater Runoff Controls	

Develop, implement, and maintain procedures for receipt and consideration of information submitted by the public as described in Part IV.D.4.(b)(5).

Activity:

The City will develop, implement, and maintain procedures for receiving and considering public information, reviewing and updating them annually. The City will also maintain a webpage, hotline, or similar method for public submissions throughout the permit term.

Objective:

The objective is to create and maintain procedures for receiving and considering public information, with annual reviews and updates.

Measurable Goals:

By December 31 of each calendar year (2024-2028):

- Review and update procedures for the receipt and consideration of information submitted by the public at least one time annually to address changes and make improvements to the established procedures where applicable.
- Maintain one webpage, hotline, or similar method for receipt of information submitted by the public throughout the permit term.

Documentation:

- Document completion of any changes or revisions made to the procedures
- Document review of procedures in annual checklist with date and name of reviewer
- Copy of online reporting form or documentation of other method of receiving information
- Document any changes to webpage / reporting form for the public

BMP #4.7	MINIMUM CONTROL MEASURE NO. 4 Construction Site Stormwater Runoff Controls	

Conduct training for all the MS4 staff whose primary job duties are related to implementing the construction stormwater program as described in Part IV.D.4.(b)(6).

Training may be conducted in person or using self-paced training materials such as videos or reading materials.

Activity:

The City will conduct an annual training session or provide self-paced training materials for all MS4 staff whose primary responsibilities involve implementing the construction stormwater program.

Objective:

The objective is to enhance MS4 staff's skills and promote effective stormwater management during construction activities within the City.

Measurable Goals:

By December 31 of each calendar year (2024-2028):

- Conduct a minimum of one training annually for 100% of MS4 staff whose primary job duties are related to implementing the construction stormwater program.

Documentation:

- Copy of training materials and methods used
- Attendance sheets from training sessions
- Date of training
- Certification received if applicable

3.6 MCM 5 - POST CONSTRUCTION STORMWATER MANAGEMENT IN NEW DEVELOPMENT AND REDEVELOPMENT

Post-construction stormwater runoff can have significant impacts on the environment and human health, manifesting in two main ways. First, the increase in pollutants such as sediment, oil and grease, pesticides, heavy metals, and nutrients (e.g., nitrogen and phosphorus) in stormwater runoff can adversely affect the food chain and ultimately human health. As runoff flows over developed areas, it accumulates these harmful substances, which become suspended in the water. Second, the increased volume of water delivered to receiving bodies during storms, due to the rise in impervious surfaces like asphalt and concrete, disrupts the natural cycle of gradual water percolation through vegetation and soil. Instead, stormwater is rapidly routed to drainage systems, leading to the scouring of natural drainage pathways and increased flooding, which can result in property damage. Effective post-construction stormwater management is essential to mitigate these impacts and protect both the environment and community infrastructure.

General Permit Requirements:

Post-Construction Stormwater Management Program

The City must develop, implement, and enforce a program, within the bounds of state, federal, and local law, to control stormwater discharges from new development and redevelopment sites disturbing one acre or more, including smaller sites that are part of a larger common plan of development or sale. This program must apply to both private and public development sites and may include offsite mitigation and payment in lieu components. Additionally, the City shall use an ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects, ensuring that owners or operators design, install, implement, and maintain a combination of structural and non-structural BMPs appropriate for the community and protective of water quality. If constructing permanent structures is not feasible due to space limitations, health and safety concerns, cost-effectiveness, or highway construction codes, the City may propose an alternative approach to TCEQ. (*Part IV.D.5.(a)*)

Requirements for All Permittees

The City must document and maintain records of enforcement actions, ensuring they are accessible for review by the TCEQ. Regarding the long-term maintenance of post-construction stormwater control measures, the City shall ensure operational continuity and upkeep of structural stormwater control measures through two methods allowed under state, federal, and local law. First, maintenance may be conducted directly by the City as outlined in *Part IV.D.6.* of the Permit. Second, maintenance may be carried out by the owner or operator of a new development or redeveloped site under a maintenance plan filed in the county's real property records. The City is responsible for requiring new development or redeveloped site owners or operators to develop, implement, and document maintenance plans for structural control measures on-site, maintain records are retained and available for review by the small MS4. (*Part IV.D.5.(b)*)

BMPs

Over the permit term, the City shall implement all the post construction stormwater management in new development and redevelopment activities and measurable goals from Table 11 in the

Permit. Since the City is a Level 1 small MS4 they must implement all BMPs from previously mentioned Table 11 during the permit term.

The following are the BMPs for Post Construction Stormwater Management in New Development and Redevelopment:

1) Develop and maintain an ordinance or other regulatory mechanism
2) Document and maintain records of enforcement actions and make them available for review by the TCEQ
3) Ensure the long-term operation and maintenance of structural stormwater control measures installed

BMP #5.1	MINIMUM CONTROL MEASURE NO. 5 Post Construction Stormwater Management in New Development and Redevelopment	

Develop and maintain an ordinance or other regulatory mechanism as described in Part IV.D.5.(a)(2).

Activity:

The City will develop and maintain an ordinance or other regulatory mechanism.

Objective:

The objective is to make sure the ordinance or regulatory mechanism remains effective and up-to-date by reviewing and updating it at least once during the permit term, addressing changes, and making necessary improvements.

Measurable Goals:

By December 31 of each calendar year (2024-2028):

- Review and update the ordinance or other regulatory mechanism at least one time during the permit term to address changes and make improvements to the ordinance where applicable.

Documentation:

- Document any changes or revisions made to the ordinance or other regulatory mechanism
- Document review of ordinance / regulatory mechanism in annual checklist with date and name of reviewer

BMP #5.2	MINIMUM CONTROL MEASURE NO. 5 Post Construction Stormwater Management in New Development and Redevelopment	

Document and maintain records of enforcement actions and make them available for review by the TCEQ as described in Part IV.D.5.(b)(1).

Activity:

The City will document and maintain records of enforcement actions, keep records annually, and make all documentation available to TCEQ for review within 24 hours of request.

Objective:

The objective is to ensure transparency and accountability by maintaining comprehensive records of all enforcement actions within the City and providing prompt access to these records within 24 hours upon request by TCEQ.

Measurable Goals:

By December 31 of each calendar year (2024-2028):

- Maintain records of 100% of enforcement actions taken each year.
- Make 100% of enforcement records available to TCEQ for review within 24 hours of request.

Documentation:

- Document any enforcement actions taken annually
- Have these enforcement action records up to date and organized for TCEQ review

BMP #5.3	MINIMUM CONTROL MEASURE NO. 5 Post Construction Stormwater Management in New Development and Redevelopment	

Ensure the long term operation and maintenance of structural stormwater control measures installed as described in Part IV.D.5.(b)(2).

Activity:

The City will implement annual maintenance of City-owned structural stormwater control measures and require owners or operators of new developments to develop maintenance plans for any structural stormwater control measures installed on site and to maintain onsite documentation available for review by the MS4 operator or TCEQ within 24 hours upon request.

Objective:

The objective is to have the City require annual maintenance of all structural stormwater control measures and require maintenance documentation to be available for timely review by the MS4 operator or TCEQ.

Measurable Goals:

By December 31 of each calendar year (2024-2028):

- Each year, implement a maintenance plan and schedule established by the small MS4 operator addressing 100% of stormwater control measures where the small MS4 operator is responsible for maintenance.
- Each year, require 100% of the owners or operators of any new development or redeveloped sites to develop and implement a maintenance plan addressing maintenance requirement for any structural control measures installed on site.
- Require the site owner or operators to maintain documentation, such as a tracking log, onsite of 100% of the maintenance performed and made available for review by the small MS4 operator or TCEQ within 24 hours of the request.

Documentation:

- Document annual maintenance of City-owned stormwater control measures in an inventory and maintenance log or database
- Document record of communication with owners or operators about maintenance requirements
    - Date and method of communication
- Checklist or database tracking compliance of site owners / operators
- Record dates of notification to owners / operators about maintenance documentation
- Document any request made by MS4 operator or TCEQ review maintenance documentation

3.7 MCM 6 - POLLUTION PREVENTION AND GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS

The Pollution Prevention and Good Housekeeping for Municipal Operations section of Kennedale's SWMP emphasizes the City's commitment to maintaining environmental quality across its diverse municipal facilities. With ownership of 3 parks, a fleet maintenance facility, public works storage yards, and administrative buildings, the City plays a crucial role in preventing pollution and upholding high standards of environmental stewardship. While none of these properties are permitted under the TPDES Industrial Stormwater Permit, the City recognizes the importance of implementing robust pollution prevention and good housekeeping practices. These practices are essential not only for enhancing water quality but also for mitigating environmental impacts from activities such as land development, flood management, and storm drainage maintenance. By proactively assessing and modifying operational practices, the City aims to minimize pollution runoff from streets, parking lots, open spaces, and storage areas, thereby safeguarding local waterways and ensuring sustainable community growth.

General Permit Requirements:

Program Development

The City will create and implement an operation and maintenance (O&M) program, which includes employee training, to prevent or reduce pollutant runoff from municipal activities and municipally owned areas. This includes maintenance of parks and open spaces, streets, roads, highways, fleets, buildings, stormwater systems, new construction and land disturbances, municipal parking lots, vehicle and equipment storage yards, waste transfer stations, and salt/sand storage facilities. (*Part IV.D.6.(a)*)

Requirements for All Permittees

The City will develop and implement an operation and maintenance program (O&M), 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. (*Part IV.D.6.(a)*)

The City must develop and maintain an inventory of facilities and stormwater controls they own and operate within the regulated area of the small MS4. This inventory must include all applicable permit numbers, registration numbers, and authorizations for each facility or control. It must be available for review by TCEQ and include facilities such as composting facilities, equipment storage and maintenance facilities, fuel storage facilities, hazardous waste disposal and handling and transfer facilities, incinerators, landfills, materials storage yards, pesticide storage facilities, buildings (such as 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.

"The City will inform, or train employees involved in implementing pollution prevention and good housekeeping practices. The City will maintain a training attendance list for review by TCEQ when requested." (*Part IV.D.6.(b)(2)*)

"Waste materials removed from the small MS4 must be disposed of in accordance with the relevant provisions of 30 TAC Chapters 330 or 335, as applicable." *(Part IV.D.*6.(b)*(3))*

Contractors hired by the City for maintenance of City-owned facilities must comply with contractual requirements that include adherence to stormwater control measures, good housekeeping practices, and facility-specific stormwater management procedures as specified in Parts IV.D.6.(b)(2)-(6). The City provides oversight of contractor activities, which includes monitoring and verifying the implementation of appropriate control measures and SOPs on-site. These procedures are documented and available for inspection by TCEQ, reflecting the City's commitment to high environmental management standards and regulatory compliance in all operations. (*Part IV.D.6.(b)*(4))

The City is required to assess their O&M activities to evaluate the potential for stormwater pollutant discharge. These activities include road and parking lot maintenance such as pothole repair, pavement marking, sealing, and re-paving; bridge maintenance involving re-chipping, grinding, and saw cutting; cold weather operations including plowing, sanding, deicing, anti-icing compound application, and snow disposal area maintenance; and right-of-way maintenance including mowing, herbicide and pesticide application, and vegetation planting. The City must identify pollutants such as metals, chlorides, hydrocarbons (e.g., benzene, toluene, ethyl benzene, xylenes), sediment, and trash that could be discharged from these activities. To mitigate pollution, the City is required to develop and implement pollution prevention measures. These measures should include using environmentally friendly materials or methods, monitoring deicing compound applications, using capture devices for pollutants like paint and solvents during bridge maintenance, and implementing barriers around chemical storage areas to prevent runoff into surface waters. Additionally, all pollution prevention measures must undergo visual inspections to ensure effectiveness. The City must maintain written inspection procedures, conduct inspections at least annually, and maintain an inspection log available for review by TCEQ upon request, demonstrating commitment to environmental compliance and management. (*Part IV.D.6.(b)*(5))

BMPs

Over the permit term, the City shall implement all of the pollution prevention and good housekeeping for municipal operations activities and measurable goals from Table 13 in the Permit. Since the City is a Level 1 small MS4 they must implement all BMPs from previously mentioned Table 13 during the permit term.

The following are the BMPs for the pollution prevention and good housekeeping for municipal operations:

1) Permittee-owned Facilities and Control Inventory
2) Training and Education
3) Disposal of Waste Material
4) Contractor Requirements and Oversight
5) Assessment of permittee-owned operations

6) Identify pollutants of concern
7) Pollution Prevention Measures
8) Inspection of Pollution Prevention Measures
9) Structural Control Maintenance

BMP #6.1	MINIMUM CONTROL MEASURE NO. 6 Pollution Prevention and Good Housekeeping for Municipal Operations	

Permittee-owned Facilities and Control Inventory as described by Part IV.D.6.(b)(1).

Activity:

The City will develop and maintain an annual inventory of all small MS4-owned and operated facilities and controls within the small MS4 area. The City will also review and update this inventory annually to reflect any changes or additions to the facilities and controls.

Objective:

The objective is to maintain an accurate and current record of all small MS4-owned facilities and controls in the City by developing and annually updating an inventory.

Measurable Goals:

By December 31 of each calendar year (2026~~4~~-2029~~8~~):

- Develop and maintain an annual inventory for 100% of the small MS4 owned and operated facilities and controls in the small MS4 area.
- Review and update the inventory at least one time annually to address changes or additions to the facilities and controls where applicable.

Documentation:

- Develop and maintain an annual inventory for 100% of the City owned and operated facilities and stormwater controls
- In the tracking Excel spreadsheet,
  - Document review of inventory with date and name of reviewer
  - Document any revisions that were made
- Document any updates to inventory list
- An accurate and current record of the inventory is kept onsite and can be made available for review by TCEQ upon request.

BMP #6.2	MINIMUM CONTROL MEASURE NO. 6 Pollution Prevention and Good Housekeeping for Municipal Operations	

Training and Education as described in Part IV.D.6.(b)(2).

Training may be conducted in person or using self-paced training materials such as video or reading materials.

Activity:

The City will conduct annual training for all employees and relevant contract staff involved in pollution prevention and good housekeeping practices for municipal operations.

Objective:

The objective of annual training for employees and contract staff in pollution prevention and good housekeeping practices is to promote comprehensive understanding and implementation of environmental regulations and internal policies, minimizing risks and promoting sustainable practices across the organization. This training fosters a culture of continuous improvement and compliance, enhancing environmental stewardship and operational efficiency.

Measurable Goals:

By December 31 of each calendar year (2026-2029):

- Conduct or offer a minimum of one training annually for 100% of employees involved in implementing pollution prevention and good housekeeping practices.
- For small MS4s which use only contractors to implement pollution prevention and good housekeeping practices, ensure training of 100% of applicable contract staff is conducted at least one time annually using contract language or another similar method.

Documentation:

- Attendance sheets or certification received from training sessions if applicable
- MS4 Staff Training Log Sheet for in-house training if applicable
- In the tracking Excel spreadsheet,
    - Document whether 100% employees or contractors had received training for the relevant reporting year
- All training records for 100% of all employees or contractors that have received training will be kept onsite and be made available for review by TCEQ upon request.

BMP #6.3	MINIMUM CONTROL MEASURE NO. 6 Pollution Prevention and Good Housekeeping for Municipal Operations	

Disposal of Waste Material as described in Part IV.D.6.(b)(3).

Activity:

The City will dispose of MS4-generated waste in compliance with 30 TAC Chapters 330 or 335 annually.

Objective:

The objective is to achieve regulatory compliance, protect public health and the environment, and promote sustainable waste management practices.

Measurable Goals:

By December 31 of each calendar year (2026-2029):

- Ensure that 100% of waste from the MS4 is disposed of in accordance with 30 TAC Chapters 330 or 335, as applicable each year.

Documentation:

- Document a waste management plan to outline procedures for waste collection
- Document 100% of all MS4 waste disposal events and ensure 100% of events were compliant with TAC Chapters 330 or 335 in the Excel tracking spreadsheet.
- Maintain onsite copies of all receipts, manifests, or certificates of waste disposal, as well as the tracking spreadsheet. Copies may be made available for review by TCEQ upon request.

BMP #6.4	MINIMUM CONTROL MEASURE NO. 6 Pollution Prevention and Good Housekeeping for Municipal Operations	

Contractor Requirements and Oversight as described in Part IV.D.6.(b)(4).

Activity:

The City will make sure that contractors hired for MS4 maintenance adhere to stormwater measures, housekeeping practices, and facility procedures. The City will provide oversight of contractor activities and maintains oversight procedures available on-site for TCEQ review within 24 hours of request.

Objective:

Contractors will adhere to stormwater control measures, housekeeping practices, and specific management procedures for MS4 maintenance. The City will provide ongoing oversight and maintain accessible oversight procedures on-site for TCEQ review within 24 hours of request.

Measurable Goals:

By December 31 of each calendar year (2026-2029):

- Each year, ensure that 100% of contractors hired by the MS4 to perform maintenance activities on permittee-owned facilities is contractually required to comply with all of the stormwater control measures, good housekeeping practices, and facility-specific stormwater management operating procedures described in Parts IV.D.6.(b)(2)-(6).
- Implement oversight procedures of contractor activities in 100% of contracts to ensure that contractors are using appropriate control measures and SOPs each year.
- Oversight procedures must be maintained on-site 100% of the time and made available for review by TCEQ within 24 hours of request.

Documentation:

- Maintain copies of signed contracts and agreements with contractors
- Conduct site inspections to monitor contractor compliance and document findings and inspection forms used
- In the tracking Excel spreadsheet,
    - Document pre-contract meetings that were held with contractors to review contract requirements ~~with contractors~~
    - Document whether 100% contractors were contractually required to comply with all of the stormwater control measures, good housekeeping practices, and facility-specific stormwater management operating procedures described in Parts IV D.6.(b)(2)-(6).
    - Document whether oversight procedures of contractor activities were implemented in 100% of contracts to ensure that contractors are using appropriate control measures and SOPs

- All training documents and oversight procedures will be kept onsite 100% of the time and be made available for review by TCEQ upon request.

BMP #6.5	MINIMUM CONTROL MEASURE NO. 6 Pollution Prevention and Good Housekeeping for Municipal Operations	

Assessment of permittee-owned operations as described in Part IV.D.6.(b)(5)a.

Activity:

The City annually assesses O&M activities for potential stormwater pollutant discharge, including road and parking lot maintenance, bridge maintenance, cold weather operations, and right-of-way maintenance.

Objective:

Annually assess O&M activities for potential stormwater pollutant discharge, including road and parking lot maintenance, bridge upkeep, cold weather operations, and right-of-way maintenance.

Measurable Goals:

By December 31 of each calendar year (2026-2029):

- Evaluate 100% of O&M activities, in conjunction with procedure reviews if appropriate, for their potential to discharge pollutants in stormwater annually including but not limited to:
    - Road and parking lot maintenance, including such areas as pothole repair, pavement marking, sealing, and re-paving;
    - Bridge maintenance, including such areas as re-chipping, grinding, and saw cutting;
    - 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.

Documentation:

- Evaluate list of 100% municipal operations and/or activities that have the potential for pollutant discharges
- In the tracking Excel spreadsheet,
    - Document review of O&M Evaluation & Pollutants list with the date and name of reviewer
    - Document any revisions that were made
- Document any updates to the O&M Evaluation & Pollutants list

BMP #6.6	MINIMUM CONTROL MEASURE NO. 6 Pollution Prevention and Good Housekeeping for Municipal Operations	

Identify pollutants of concern as described in Part IV.D.6.(b)(5)b.

Activity:

The City will identify pollutants of concern from O&M activities, maintaining a comprehensive list including metals, chlorides, hydrocarbons, sediment, and trash. This list will be reviewed and updated annually to reflect changes or additions to O&M activities.

Objective:

Maintain a current list of pollutants from operational activities like metals, chlorides, hydrocarbons, sediment, and trash. Update annually to reflect operational changes for effective stormwater pollutant management.

Measurable Goals:

By December 31 of each calendar year (2024-2028):

- Identify pollutants of concern that could be discharged from all of the O&M activities described in *Part IV.D.6.(b)(5)b* and maintain a list of 100% of the pollutants identified.
    - Including for example, metals; chlorides; hydrocarbons such as benzene, toluene, ethyl benzene, and xylenes; sediment; and trash.
- Review and update the pollutants of concern list at least one time annually to address changes or additions to the O&M activities where applicable.

Documentation:

- Identify and maintain list of O&M activities that have the potential for pollutants of concern (POC) discharges
- In the tracking excel spreadsheet,
    - Document review of O&M Evaluation & Pollutants list with the date and name of reviewer
    - Document any revisions that were made
- Document any updates to the O&M Evaluation & Pollutants list

BMP #6.7	MINIMUM CONTROL MEASURE NO. 6 Pollution Prevention and Good Housekeeping for Municipal Operations	

Pollution Prevention Measures as described in Part IV.D.6.(b)(5)c.

Activity:

The City will implement pollution prevention measures by tracking and documenting all deicing and anti-icing compound applications annually, recording quantities used. Additionally, the City will install barriers or implement runoff diversion around all deicing chemical storage areas annually to prevent discharge into surface waters.

Objective:

Track and document 100% of deicing and anti-icing compound applications annually within the MS4 area, including usage amounts. Implement protective measures around all deicing chemical storage areas to prevent surface water discharge each year.

Measurable Goals:

By December 31 of each calendar year (2026-2029):

- Develop and implement a set of pollution prevention measures that will reduce the discharge of pollutants in stormwater from the permittee-owned operations. Implement the following two pollution prevention measures.
    - Track 100% of the application of deicing and anti-icing compounds in the MS4 area and record the amount of compound used for each application annually;
    - Place barriers around or conduct runoff away from 100% of deicing chemical storage areas to prevent discharge into surface waters each year.

Documentation:

- Document the amount of deicing and anti-icing compounds used annually
    - Receipts used to purchase these compounds
    - Track amounts of each compound in an inventory log through the excel spreadsheet
- Conduct inspections at 100% of all deicing chemical storage areas to ensure they include barriers and are being properly operated and maintained
- Document findings and corrective actions taken through the excel spreadsheet
- The inventory log and inspection forms will be kept onsite 100% of the time and be made available for review by TCEQ upon request.

BMP #6.8	MINIMUM CONTROL MEASURE NO. 6 Pollution Prevention and Good Housekeeping for Municipal Operations	

Inspection of Pollution Prevention Measures as described in Part IV.D.6.(b)(5)d.

Activity:

The City will conduct annual visual inspections of pollution prevention measures at City-owned facilities, maintaining written inspection procedures and logs available for TCEQ review within 24 hours.

Objective:

The objective is to conduct thorough annual inspections of pollution prevention measures at City-owned facilities, maintaining updated inspection procedures and logs for transparency and compliance with TCEQ regulations.

Measurable Goals:

By December 31 of each calendar year (2024-2028):

- At least one time annually, visually inspect 100% of pollution prevention measures implemented at permittee-owned facilities to ensure they are working properly.
- Develop and maintain written procedures that describe the frequency of inspections and how they will be conducted.
- Review and update the inspection procedures at least one time annually to address changes or additions to the pollution prevention measures.
- Maintain a log of 100% of the inspections conducted annually and make the log available for review by the TCEQ within 24 hours of a request.

Documentation:

a. In the tracking excel spreadsheet,
    i. Document review of inspection procedures with date and name of reviewer
    ii. Document any revisions to be made
    iii. Document inspections, findings, and any corrective actions taken on the inventory log
b. Document any updates to the inspection procedures. If procedures were reviewed and no changes or additions were made, the City shall make a note stating so, in the tracking excel sheet.
c. The inspection form for 100% of all inspections conducted annually and inventory log will be kept onsite and be made available for review by TCEQ upon request.

BMP #6.9	MINIMUM CONTROL MEASURE NO. 6 Pollution Prevention and Good Housekeeping for Municipal Operations	

Structural Control Maintenance as described by Part IV.D.6.(b)(6).

Activity:

The City will annually maintain all necessary structural controls for effective pollution prevention, with written inspection procedures updated yearly to reflect any new pollution prevention measures or changes.

Objective:

Inspect and service all structural controls requiring maintenance annually to maintain their effectiveness in pollution prevention. The City will maintain written procedures for inspection frequency and methods, updating them annually to meet new pollution prevention requirements or changes.

Measurable Goals:

- At least one time annually, perform maintenance of 100% of the structural controls which require maintenance. Maintenance must follow a plan and schedule developed by the small MS4 operator to be consistent with maintaining the effectiveness of the BMP.
- The permittee shall develop and maintain written procedures that define the frequency of inspections and how they will be conducted.
- Review and update the maintenance procedures at least one time annually to address changes or additions to the pollution prevention measures.

Documentation:

a. In the tracking excel spreadsheet,
    i. Document review of inspection procedures with date and name of reviewer
    ii. Document any revisions to be made
    iii. Document inspections, findings, and completion of maintenance on the maintenance log
b. Document any updates to the inspection procedures. If procedures were reviewed and no changes or additions were made, the City shall make a note stating so, in the tracking excel sheet.
c. The inspection form for 100% of all inspections conducted annually and the maintenance log will be kept onsite and be made available for review by TCEQ upon request.

4. Impaired Water Bodies and Total Maximum Daily Load (TMDL)

The City has only one impaired water body within its municipal boundary, Village Creek. Village Creek is impaired for bacteria in the water (Recreation Use) according to the 2024 Texas Integrated Report – Texas 303(d) List (Category 5). The segment of Village Creek (Segment 0828A) within the City boundaries discharges into Lake Arlington (Segment 0828). Downstream of the lake, Village Creek (Segment 0841T) continues into the Lower West Fork of the Trinity River (Segment 0841), which is impaired by dioxin and PCBs. Additionally, the City discharges into Kee Branch (Segment 0841M), which is impaired for bacteria in the water further downstream outside of the City's jurisdiction. Kee Branch (Segment 0841M) converges with Rush Creek (Segment 0841R), which eventually merges with a downstream segment of Village Creek (Segment 0841T) and then flows into Lower West Fork Trinity River (0841). The City is aware of the impairment and participates in the regional stormwater efforts to address said impairments.

As part of its commitment to maintaining water quality, the City acknowledges the impairment of Village Creek (Segment 0828A) and the necessity of complying with state and federal regulations. Village Creek (Segment 0841T), which is downstream of the Village Creek (Segment 0828A) in the City, has an approved TMDL. The discharges of POCs into impaired water bodies, which have a TMDL approved by the TCEQ and the EPA, must align with these TMDL requirements to be eligible for the Permit. A water body is deemed impaired if it is listed on the latest TCEQ and EPA-approved Clean Water Act (CWA) § 303(d) List or the Texas Integrated Report of Surface Water Quality for CWA Sections 305(b) and 303(d), identifying it as not meeting Texas Surface Water Quality Standards. The City will annually verify whether any impaired water bodies within its jurisdiction have been newly listed on these reports and ensure compliance with *Part III.A* requirements within two years of the list's approval. This includes controlling POC discharges and assessing progress in mitigating pollutant levels in accordance with the TMDL and other regulatory guidelines.

4.1 DISCHARGES TO WATER QUALITY IMPAIRED WATER BODIES WITH AN APPROVED TMDL

The City discharges to water quality impaired water bodies with an approved TMDL, and therefore, will adhere to the requirements outlined in *Part III.A*. The City discharges into Village Creek (Segment ID 0828A), which is in the 5c impairment category according to the 2024 Texas Integrated Report – Texas 303(d) List (Category 5). This stream flows into a different segment of Village Creek further downstream, Segment 0841T. Table 1 describes the impaired water bodies in the 2024 Texas Integrated Report and I-Plan. The City’s stormwater has the potential to cause or contribute to the impairment in Village Creek.

Table 1: Impaired Water Body Segments

Segment ID	Segment Name	AU ID	Impairment Description	Year First Listed	Impairment Category
0828A	Village Creek	0828A_01	Bacteria in Water (Recreation Use)	2010	5c
0841	Lower West Fork Trinity River	0841_02	Dioxin in edible tissue	2010	5c
			PCBs in edible tissue	1996	5c
0841T	Village Creek	0841T	n/a	n/a	n/a

Discharges indirectly reach the Lower West Fork Trinity segment (0841_02) which is listed on the TMDL Summary Table for chlordane in tissue and bacteria. However, chlordane in tissue is no longer an impairment parameter on the Texas 303(d) List or the Index of All Impaired Waters; therefore, all additional impairment BMPs included in this SWMP are targeted to address bacteria.

The City will incorporate specific controls targeting POCs in their SWMP and adhere to Part III.A requirements in the Permit. The City's SWMP and annual reports detail the implementation of these targeted controls, including any additional or modified measures required by the TMDL and relevant regulations, to effectively reduce POCs and protect water quality. Figure 2 shows the impaired water body, Village Creek, that falls within Kennedale's City boundaries.

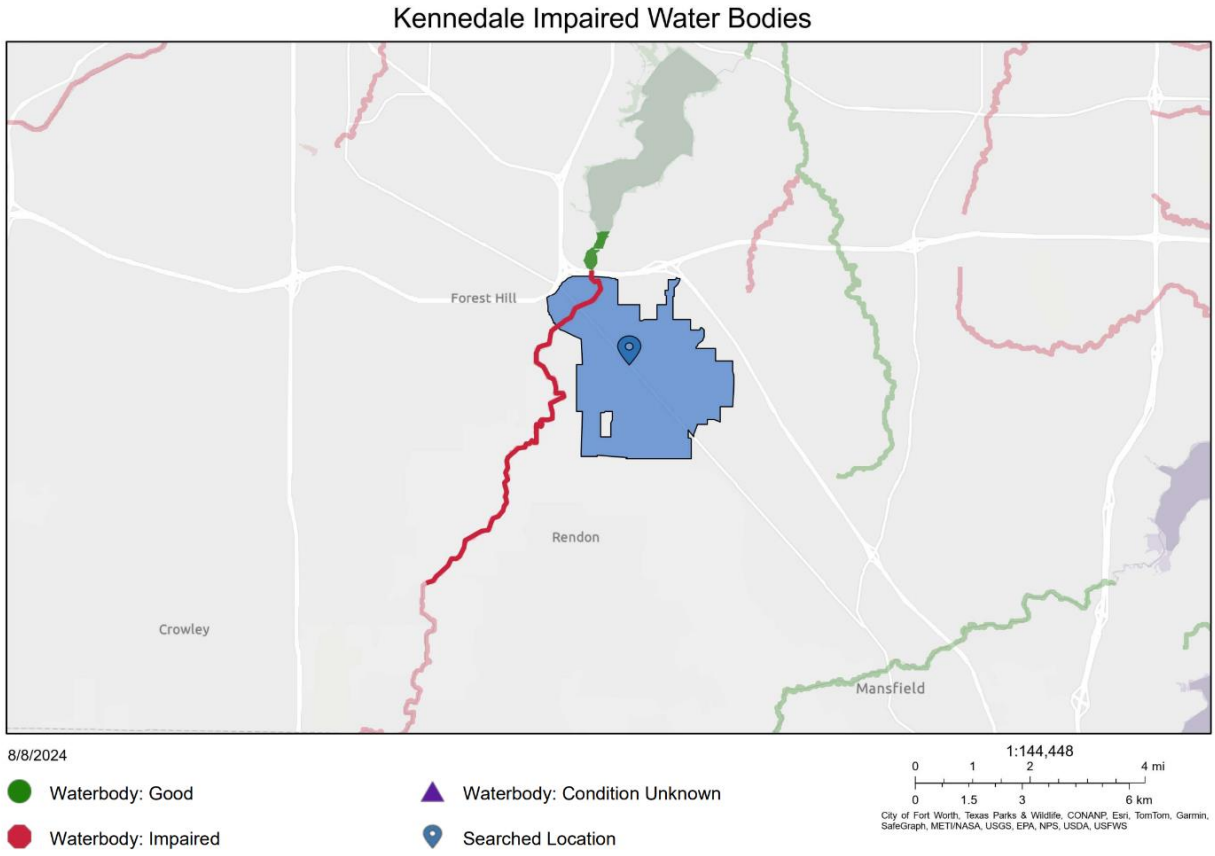

Figure 2: Village Creek Impaired Water Body

4.2 TARGETED CONTROLS

According to Part III.A.1 of the Permit, the SWMP and annual reports must detail the implementation of targeted controls designed to reduce POCs. The specific measures and strategies used to address these pollutants are described, maintaining regulatory compliance and improving water quality management.

Public Education, Outreach, Involvement, and Participation Programs

Over the permit term, the City will enhance and adapt existing public education and outreach programs to better inform the community about the POC, bacteria, and ways to reduce their discharge. This includes engaging residents through workshops, informational materials, social media campaigns, and community events to raise awareness and encourage proactive participation in pollution reduction efforts.

Illicit Discharge Detection and Elimination Program

Through the permit term, the City will strengthen the current illicit discharge detection and elimination program by specifically targeting bacteria. This will involve improving detection methods, increasing monitoring frequency, and conducting targeted inspections to identify and

eliminate sources of illicit discharges. Additionally, training staff and the public to recognize and report illicit discharges will be emphasized.

Ordinances and Regulatory Mechanisms

Review and update existing ordinances or regulatory mechanisms to enforce the reduction or control of bacteria effectively. This will involve establishing clear enforcement procedures for noncompliance, including fines, penalties, and corrective actions. The City may also develop additional ordinances or regulatory mechanisms to address gaps in current regulations and ensure comprehensive control measures are in place, potentially implementing new policies to enhance enforcement and compliance monitoring.

4.3 MEASURABLE GOALS

BMPs targeting the City's POC of bacteria for impaired water bodies are included in section 4.6. This section also includes measurable goals and implementation schedule for those BMPs.

4.4 IDENTIFICATION OF BENCHMARKS

Bacteria has been identified as an impairment. The impaired water body BMPs are included in this plan to help address bacteria. The City discharges to water quality impaired water bodies, and therefore, will adhere to the requirements outlined in *Part III.A.* The City will refer to the TMDL Implementation Plan (I-Plan) to set the benchmark. The selected BMPs associated with bacteria removal comply with 40 CFR § 122.34.

Additionally, the SWMP has identified the POC, bacteria, and has established a benchmark according to Permit requirements to assess the effectiveness of BMPs in stormwater discharge from the MS4. The benchmark is intended to help assess whether the implemented BMPs are effectively addressing the pollutants of concern in stormwater discharges from the MS4 to the maximum extent practicable. These benchmarks are not numeric effluent limitations but serve as guidelines for evaluating progress (*Part III.A.3*). BMPs must be re-evaluated annually and adjusted within an adaptive management framework (*Part III.A.3*). Exceeding a benchmark is not a permit violation. The benchmarks are based on the TMDL I-Plan.

The City has elected to use the Waste Load Allocations (WLA) identified in the I-Plan as shown in Table 2 to determine a benchmark. All loads are expressed as billion MPN/day, where MPN represents the most probable number.

Table 2: TMDL Allocations for Impaired Assessment Unit within Kennedale

Assessment Unit	Segment Name	TMDL	WLA_{WWTF}[a]	WLA_{SW}[b]	LA_{USL}[e]	MOS[d]	FG[e]
0841T	Village Creek	1,317	0	357.9	933.2	19.22	7.243

[a]WLA_{WWTF} = waste load allocation for wastewater treatment facilities

[b]WLA_{SW} = waste load allocation for permitted stormwater

[c]LA_{USL} = upstream load application entering the assessment unit

[d]MOS = margin of safety load

[e]FG = future growth loads

The waste load allocation for permitted stormwater (WLA_{SW}) will serve as the benchmark. The benchmark for Village Creek is 357.9 MPN/day.

4.5 ANNUAL REPORT

The City's annual report shall include an analysis demonstrating how the selected activities and BMPs will effectively contribute to achieving the benchmark value (*Part III.A.4*).

4.6 IMPAIRMENT FOR BACTERIA REQUIREMENTS

According to *Part III.A.5* of the Permit, the City must implement BMPs to address bacteria as a POC in the SWMP. The City will adhere to the requirements of the Permit and will implement the required additional BMPs for bacteria impaired water bodies. The selected BMPs are documented in this SWMP and the subsequent MS4 Annual Reports. BMPs include those associated with the MCMs required under 40 CFR § 122.34. The BMPs address:

- improvements to sanitary sewers
- solutions that address lift station inadequacies
- improvements in overflow reporting
- reduction in blockages from fats, oils, and grease.

For on-site sewage facilities, the City should identify and address failing systems and inadequate maintenance. Efforts should be made to reduce illicit discharges and dumping, specifically targeting waste sources of bacteria. The City will also expand programs to manage animal sources of bacteria and enhance residential education on the proper disposal of pet waste, maintenance of decorative ponds, and prevention of fats, oils, and grease clogging sanitary sewers.

BMPs

The City is dedicated to reducing bacteria contamination in water bodies through BMPs in its SWMP. Aiming to improve water quality and protect public health, the City intends to enhance sanitary sewer systems, maintain on-site sewage facilities, and reduce illicit discharges and animal sources of bacteria. Additionally, the City plans to expand its public education program to educate residents on proper waste disposal and maintenance practices. By incorporating these measures, the City shows its commitment to sustainable water management and environmental stewardship.

Over the permit term, the City shall implement the following BMPs due to bacteria impairment.

1. Sanitary Sewer Systems
2. On Site Sewage Facilities (OSSFs)
3. Illicit Discharges and Dumping
4. Animal Sources
5. Residential Education

The selected BMPs for bacteria impairment are listed and expanded on at the end of this section.

4.7 MONITORING OR ASSESSMENT OF PROGRESS

Evaluating Program Implementation Measures

In its MS4 Annual Report, the City will evaluate and report progress towards the POC benchmarks. The MS4 Annual Report includes a description of the activities performed for the specified BMPs. Each MS4 Annual Report documents the appropriateness of the identified BMPs and the progress towards achieving the measurable goals. Table 2 shows the benchmark parameter and values along with the other assessment activities that take place, documented in the annual reports. Table 3 shows the progress that the City has made toward reducing POCs documented in their annual reports.

The City will assess progress by using program implementation indicators, such as:

1. Number of sources identified or eliminated
2. Decrease in the number of illegal dumping activities
3. Increase in illegal dumping reporting
4. Number of educational opportunities conducted
5. Reductions in sanitary sewer overflows (SSOs)
6. Increase in illegal discharge detection through dry screening, etc.

4.8 OBSERVING NO PROGRESS TOWARDS THE BENCHMARK

The City anticipates recognizing progress towards the benchmark goals by the end of the third year of the permit's effective date. If no progress is observed at that time, the City may choose one or more of the following responses:

- reevaluate the current BMPs targeted for the specific POCs and identify alternative focused BMPs to improve progress toward the benchmark
- develop a new approach to identify the most significant sources of the POCs
- collaborate with other MS4s in the same watershed to determine alternative sub-benchmark values for POCs (Additional documentation would be developed and provided.)

Any revised BMPs must be included in the SWMP and MS4 Annual Reports.

BMP #1	**BACTERIA IMPAIRED WATER BODIES** **Sanitary Sewer Systems BMP**	KENNEDALE You're Here, Your Home

Sanitary Sewer Systems as described by Part III.A.5.(a).

Activity:

The City will review the entire sanitary sewer system, initiate improvement projects, conduct lift station inspections, investigate all sanitary sewer overflow complaints, and strengthen sewer use requirements by updating regulations to reduce blockages from fats, oils, and grease.

Objective:

The objective is to enhance the sanitary sewer system's efficiency and reliability by identifying and addressing areas for improvement, performing regular inspections and maintenance, promptly investigating and resolving overflow complaints, and updating regulations to prevent blockages from fats, oils, and grease.

Measurable Goals:

By December 31 of 2025 (2024-2025):

- Conduct review of 100% of the sanitary sewer system to identify areas for improvement within the first two years of the permit term. Initiate all feasible improvement projects by the end of the permit term.

By December 31 of each calendar year (2024-2028):

- Conduct weekly lift station inspections at 100% of the MS4 owned and operated lift stations each year.
- Investigate and address 100% of sanitary sewer overflow complaints identified through the public reporting mechanism implemented by the MS4 each year.
- Strengthen sanitary sewer use requirements to reduce blockage from fats, oils, and grease by reviewing and updating ordinances or other regulatory mechanisms and inspection programs at least one time annually.

Documentation:

- Document review of the entire sanitary sewer system by listing segments reviewed in an inventory log with date reviewed and any potentially feasible improvement projects that were identified.
- The City does not have lift stations to maintain, if this changes the City will track and maintain as needed with weekly inspections and inspection reports.
- Document feasible sanitary sewer system improvement projects initiated each year.
- Document sanitary sewer overflow complaints reported each year and actions taken to address.
- Document review of ordinances or regulatory mechanisms and inspection programs associated with or intended to mitigate blockages from fats, oils, and grease in annual

checklist with date and name of reviewer. Document changes, if any, to ordinances, regulatory mechanisms, or inspection programs each year.

BMP #2	BACTERIA IMPAIRED WATER BODIES On Site Sewage Facilities (OSSFs) BMP	

On Site Sewage Facilities (OSSFs) as described by Part III.A.5.(b).

Activity:

The City will identify and develop and inventory of and assess the condition of 100% of On-Site Sewage Facilities (OSSFs) within its jurisdiction. The City will review, confirm, and update the inventory annually to reflect changes, if any. The City will perform an annual inspection of all OSSFs to assess their condition, address any maintenance needs and document maintenance activities. Additionally, the City will investigate and address all OSSF complaints received through the public reporting mechanism.

Objective:

The objective is to maintain proper functioning OSSFs within the City by maintaining a comprehensive and current inventory of facilities, responding to and addressing any complaints received, and monitoring systems to prevent failures and protect public health and the environment.

Measurable Goals:

By December 31 of each calendar year (2024-2028):

Develop and implement procedures to screen 20% of the MS4 area within the impairment watershed annually to identify failing OSSFs.

- Maintain an inventory of 100% of the identified OSSFs and their status each year.
  - Review and update this inventory at least one time each year to address changes or additions.
- Address 100% of failing OSSFs each year by requiring the responsible party to perform all necessary corrective actions to eliminate the illicit discharge.

Investigate and address 100% of OSSF complaints identified through the public reporting mechanism implemented by the MS4 each year.

Documentation:

- Inventory list of all OSSFs identified within the City
- Completion of assessment to document condition and functionality of each OSSFs
- Condition assessment of OSSFs for each permit year
- Document review of OSSF inventory in annual checklist with date and name of reviewer. Document any changes or additions to the OSSFs in the inventory list
- Document all investigations and actions taken in response to complaints

BMP #3	BACTERIA IMPAIRED WATER BODIES Illicit Discharges and Dumping BMP	KENNEDALE You're Here, Your Home

Illicit Discharges and Dumping as described by Part III.A.5.(c).

Activity:

The City will confirm that all BMP procedures and ordinances in MCM 3 address bacterial discharges from OSSFs, grease traps, and grit traps.

Objective:

The objective is to confirm that procedures, ordinances, and regulatory mechanisms established for BMPs in MCM 3 (Illicit Discharge Detection and Elimination) effectively address discharges that may contribute bacteria, including those from On-Site Sewage Facilities (OSSFs), grease traps, and grit traps.

Measurable Goals:

By December 31 of each calendar year (2024-2028):

- Ensure 100% of procedures and ordinances or other regulatory mechanisms established for BMPs in MCM 3: Illicit Discharge Detection and Elimination address discharges that may contribute bacteria including from OSSFs, grease traps, and grit traps.

Documentation:

- Document that the review was performed in the annual checklist with date and name of reviewer. Document any changes to the procedures, ordinance, or other regulatory mechanisms.

BMP #4	BACTERIA IMPAIRED WATER BODIES Animal Sources BMP	

Animal Sources as described by Part III.A.5.(d).

Activity:

The City will install and maintain at least one pet waste station in every public park or similar greenspace within its jurisdiction.

Objective:

The objective is to install and maintain pet waste stations in all public parks or similar greenspaces to promote clean and environmentally responsible pet waste disposal practices.

Measurable Goals:

By December 31 of each calendar year (2024-2028):

Provide and maintain at least one pet waste station in 100% of public or similar greenspaces in the MS4 area within the impairment watershed each year.

Documentation:

- Location of areas where pet waste stations are located
- Count of bags placed at pet waste stations annually
- Receipt for purchasing waste bags

BMP #5	BACTERIA IMPAIRED WATER BODIES Residential Education – Permanent Signage BMP	

Residential Education as described by Part III.A.5.(e).

Permanent stormwater related signage

Activity:

The City will install and maintain permanent stormwater-related signage in locations such as parks or public spaces near streams, where the message is relevant and highly visible to the residents and businesses. This could include Sonora Park, Town Center Park, or Rodgers Farm Park.

Objective:

The goal is to effectively communicate stormwater management messages to the public, enhancing awareness and compliance with stormwater regulations.

Measurable Goals:

By December 31 of each calendar year (2024-2028):

- Place signage in a location where the message is relevant, and highly visible to target audience.
- Signage will count as an annual BMP for the year it was put in place and for each subsequent year of this permit cycle as long as each of those years, the permittee inspects and maintains, as necessary, 100% of the signage once annually.

Documentation:

- Picture of the signage in public in highly visible place. Document location.
- Receipts showing purchase of signage
- Inspection and maintenance documentation of the signage annually

5.0 Recordkeeping and Reporting

5.1 RECORDKEEPING AND TRACKING

According to *Part V.A.* of the Permit, the City shall retain all records, a copy of the TPDES General Permit (maintained physically and electronically), and records of all data used to complete the application (NOI) for this permit for at least three years or for the remainder of the permit term, whichever is longer. This period may be extended by the executive director's request at any time. The City shall submit records to the executive director only when specifically requested. The SWMP required by this Permit will be retained at a location accessible to the TCEQ for review upon request. The City shall make the NOI and the SWMP available to the public at reasonable times during regular business hours if requested in writing. Copies of the SWMP will be provided within ten working days of receiving a written request, and other records will be provided in accordance with the Texas Public Information Act. Requests for records from federal facilities must be made per the Freedom of Information Act. The record-keeping period shall automatically extend to the date of the final disposition of any administrative or judicial enforcement action that may be instituted against the City.

5.2 GENERAL REPORTING

According to *Part V.B.1.* of the Permit, the County must comply with general reporting requirements, specifically concerning noncompliance notification. Per 30 TAC § 305.125(9), any noncompliance that may endanger human health, safety, or the environment must be reported to the TCEQ Regional Office within 24 hours of becoming aware of the noncompliance, either orally or by fax. Additionally, a written report must be submitted to the TCEQ Regional Office and the TCEQ Enforcement Division within five working days of becoming aware of the noncompliance. This report must include a description and cause of the noncompliance, the potential danger, the period of noncompliance with exact dates and times, anticipated continuation time if unresolved, and steps taken or planned to mitigate and prevent recurrence. Moreover, if the City becomes aware of having submitted incorrect or incomplete information in any report, they must promptly provide the accurate information to the executive director.

5.3 ANNUAL REPORTING

The City must submit a concise annual report to the executive director by March 31st each year for the previous calendar year. The first annual report for this general permit shall address the period beginning on the day that authorization is obtained and ending on December 31 of that same year. For the City, under the 2019 TPDES Small MS4 General Permit, the first report due on March 31, 2025, will cover from the end of the last reporting period to December 31, 2024. This report must be available for TCEQ review upon request and include the status of compliance with permit conditions, progress towards pollution reduction goals, monitoring data, activities addressing impaired water bodies, planned stormwater activities, proposed changes to the SWMP, and any necessary additional activities. The report must also state if another government entity is fulfilling some obligations, detail construction activities within the jurisdiction, and be signed and submitted via the NeT-MS4 system unless an Electronic Reporting Waiver is obtained. If the City is part of a coalition, it must contribute to a collective report, ensuring each member signs and certifies it. If the designated coalition participant changes, an NOC must be submitted. The City will track BMP activities, results, and changes to

the SWMP through an annual report submitted to the TCEQ within 90 days of the end of each permit year. The annual report will include factors required by *Part V.B.2* of the Permit, such as the status of compliance with permit conditions, assessments of BMPs, and any changes to the SWMP, the City remains in compliance with the Permit conditions.

6.0 Definitions

Arid Areas – Areas with an average annual rainfall of less than ten inches.

Benchmarks – A benchmark pollutant value is a guidance level indicator that helps determine the effectiveness of chosen best management practices (BMPs). This type of monitoring differs from "compliance monitoring" in that exceedances of the indicator or benchmark level are not permit violations, but rather indicators that can help identify problems at the Municipal Separate Storm Sewer System (MS4) with exposed or unidentified pollutant sources; or control measures that are either not working correctly, whose effectiveness need to be re-considered, or that need to be supplemented with additional BMP(s).

Best Management Practices (BMPs) – Schedules of activities, prohibitions of practices, maintenance procedures, structural controls, local ordinances, and other management practices to prevent or reduce the discharge of pollutants. BMPs also include treatment requirements, operating procedures, and practices to control runoff, spills or leaks, waste disposal, or drainage from raw material storage areas.

Catch Basins – Storm drain inlets and curb inlets to the storm drain system. Catch basins typically include a grate or curb inlet that may accumulate sediment, debris, and other pollutants.

Classified Segment – A water body that is listed and described in Appendix A or Appendix C of the Texas Surface Water Quality Standards, at 30 Texas Administrative Code (TAC) § 307.10.

Clean Water Act (CWA) – The Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972, Pub.L. 92-500, as amended Pub. L. 95-217, Pub. L. 95-576, Pub. L. 96-483, and Pub. L. 97-117, 33 U.S.C. 1251 et. seq.

Common Plan of Development or Sale – A construction activity that is completed in separate stages, separate phases, or in combination with other construction activities. A common plan of development or sale is identified by the documentation for the construction project that identifies the scope of the project, and may include plats, blueprints, marketing plans, contracts, building permits, a public notice or hearing, zoning requests, or other similar documentation and activities.

Construction Activity – Soil disturbance, including clearing, grading, excavating, and other construction related activities (e.g., stockpiling of fill material and demolition); and not including routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the site (e.g., the routine grading of existing dirt roads, asphalt overlays of existing roads, the routine clearing of existing right-of-ways, and similar maintenance activities). Regulated construction activity is defined in terms of small and large construction activity.

> **Small Construction Activity** is construction activity that results in land disturbance of equal to or greater than one acre and less than five acres of land. Small construction activity also includes the disturbance of less than one acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than one and less than five acres of land.

Large Construction Activity is construction activity that results in land disturbance of equal to or greater than five acres of land. Large construction activity also includes the disturbance of less than five acres of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than five acres of land.

Construction Site Operator – The entity or entities associated with a small or large construction project that meet(s) either of the following two criteria:

(a) The entity or entities that have operational control over construction plans and specifications (including approval of revisions) to the extent necessary to meet the requirements and conditions of this general permit; or

(b) The entity or entities that have day-to-day operational control of those activities at a construction site that are necessary to ensure compliance with a stormwater pollution prevention plan (SWP3) for the site or other permit conditions (for example they are authorized to direct workers at a site to carry out activities required by the SWP3 or comply with other permit conditions).

Control Measure – Any BMP or other method used to prevent or reduce the discharge of pollutants to water in the state.

Conveyance – Curbs, gutters, man-made channels and ditches, drains, pipes, and other constructed features designed or used for flood control or to otherwise transport stormwater runoff.

Discharge – When used without a qualifier, refers to the discharge of stormwater runoff or certain non-stormwater discharges as allowed under the authorization of this general permit.

Edwards Aquifer – As defined in 30 TAC § 213.3 (relating to the Edwards Aquifer), that portion of an arcuate belt of porous, water-bearing, predominantly carbonate rocks known as the Edwards and Associated Limestones in the Balcones Fault Zone trending from west to east to northeast in Kinney, Uvalde, Medina, Bexar, Comal, Hays, Travis, and Williamson Counties; and composed of the Salmon Peak Limestone, McKnight Formation, West Nueces Formation, Devil's River Limestone, Person Formation, Kainer Formation, Edwards Formation, and Georgetown Formation. The permeable aquifer units generally overlie the less-permeable Glen Rose Formation to the south, overlie the less-permeable Comanche Peak and Walnut Formations north of the Colorado River, and underlie the less-permeable Del Rio Clay regionally.

Edwards Aquifer Recharge Zone – Generally, that area where the stratigraphic units constituting the Edwards Aquifer crop out, including the outcrops of other geologic formations in proximity to the Edwards Aquifer, where caves, sinkholes, faults, fractures, or other permeable features would create a potential for recharge of surface waters into the Edwards Aquifer. The recharge zone is identified as that area designated as such on official maps located on the TCEQ website or in the offices of the TCEQ.

Final Stabilization – A construction site where any of the following conditions are met:

(a) All soil disturbing activities at the site have been completed and a uniform (for example, evenly distributed, without large bare areas) perennial vegetative cover with a

density of 70 percent (%) of the native background vegetative cover for the area has been established on all unpaved areas and areas not covered by permanent structures, or equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed.

(b) For individual lots in a residential construction site by either:

(1) The homebuilder completing final stabilization as specified in condition (a) above; or

(2) The homebuilder establishing temporary stabilization for an individual lot prior to the time of transfer of the ownership of the home to the buyer and after informing the homeowner of the need for, and benefits of, final stabilization.

(c) For construction activities on land used for agricultural purposes (for example pipelines across crop or range land), final stabilization may be accomplished by returning the disturbed land to its preconstruction agricultural use. Areas disturbed that were not previously used for agricultural activities, such as buffer strips immediately adjacent to a surface water and areas which are not being returned to their preconstruction agricultural use must meet the final stabilization conditions of condition (a) above.

(d) In arid, semi-arid, and drought-stricken areas only, all soil disturbing activities at the site have been completed and both of the following criteria have been met:

(1) Temporary erosion control measures (e.g., degradable rolled erosion control product) are selected, designed, and installed along with an appropriate seed base to provide erosion control for at least three years without active maintenance by the operator, and

(2) The temporary erosion control measures are selected, designed, and installed to achieve 70 percent (%) vegetative coverage within three years.

General Permit – A permit issued to authorize the discharge of waste into or adjacent to water in the state for one or more categories of waste discharge within a geographical area of the state or the entire state as provided by Texas Water Code (TWC) § 26.040.

Groundwater Infiltration – For the purposes of this permit, groundwater that enters a municipal separate storm sewer system (including sewer service connections and foundation drains) through such means as defective pipes, pipe joints, connections, or manholes.

High Priority Facilities – High priority facilities are facilities with a high potential to generate stormwater pollutants. These facilities must include, at a minimum, the MS4 operator's maintenance yards, hazardous waste facilities, fuel storage locations, and other facilities where chemicals or other materials have a high potential to be discharged in stormwater. Among the factors that must be considered when giving a facility a high priority ranking are: the amount of urban pollutants stored at the site, the identification of improperly stored materials, activities that must not be performed outside (for example, changing automotive fluids, vehicle washing), proximity to water bodies, proximity to sensitive aquifer recharge features, poor housekeeping practices, and discharge of pollutant(s) of concern to impaired water(s).

Hyperchlorinated Water – Water resulting from hyperchlorination of waterlines or vessels, with a chlorine concentration greater than 10 milligrams per liter (mg/L).

Illicit Connection – Any man-made conveyance connecting an illicit discharge directly to a municipal separate storm sewer.

Illicit Discharge – Any discharge to an MS4 that is not entirely composed of stormwater, except discharges pursuant to this general permit or a separate authorization and discharges resulting from emergency fire-fighting activities.

Impaired Water – A surface water body that is identified as impaired on the latest U.S. Environmental Protection Agency (EPA) approved Clean Water Act (CWA) § 303(d) List or waters with an EPA approved or established TMDL that are found on the latest EPA approved Texas Integrated Report of Surface Water Quality for CWA Sections 305(b) and 303(d) which lists the category 4 and 5 water bodies.

Implementation Plan (I-Plan) – A detailed plan of action that describes the measures or activities necessary to achieve the pollutant reductions identified in the total maximum daily load (TMDL).

Indian Country – Defined in 18 U.S.C. § 1151 as:

> (a) All land within the limits of any Indian reservation under the jurisdiction of the United States (U.S.) Government, notwithstanding the issuance of any patent, and including rights-of-way running through the reservation;
>
> (b) All dependent Indian communities within the borders of the U.S. whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a state; and
>
> (c) All Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same. This definition includes all land held in trust for an Indian tribe.

Indicator Pollutant – An easily measured pollutant, that may or may not impact water quality that indicates the presence of other stormwater pollutants.

Industrial Activity – Any of the ten categories of industrial activities included in the definition of "stormwater discharges associated with industrial activity" as defined in 40 Code of Federal Regulations (CFR) § 122.26(b)(14)(i)-(ix) and (xi).

Infeasible – For the purpose of this permit, infeasible means not technologically possible, or not economically practicable and achievable in light of best industry practices. The TCEQ notes that it does not intend for any small MS4 general permit requirement to conflict with state water right laws.

Maximum Extent Practicable (MEP) – The technology-based discharge standard for MS4s to reduce pollutants in stormwater discharges that was established by the CWA § 402(p). A discussion of MEP as it applies to small MS4s is found in 40 CFR § 122.34.

MS4 Operator – For the purpose of this permit, the public entity or the entity contracted by the public entity, responsible for management and operation of the small municipal separate storm sewer system that is subject to the terms of this general permit.

Municipal Separate Storm Sewer System (MS4) – A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

(a) Owned or operated by the U.S., a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to state law) having jurisdiction over the disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under the CWA § 208 that discharges to surface water in the state;

(b) That is designed or used for collecting or conveying stormwater;

(c) That is not a combined sewer; and

(d) That is not part of a publicly owned treatment works (POTW) as defined in 40 CFR § 122.2.

Non-traditional Small MS4 – A small MS4 that often cannot pass ordinances and may not have the enforcement authority like a traditional small MS4 would have to enforce the stormwater management program. Examples of non-traditional small MS4s include counties, transportation authorities (including the Texas Department of Transportation), municipal utility districts, drainage districts, military bases, prisons, and universities.

Notice of Change (NOC) – A written notification from the permittee to the executive director providing changes to information that was previously provided to the agency in a Notice of Intent.

Notice of Intent (NOI) – A written submission to the executive director from an applicant requesting coverage under this general permit.

Notice of Termination (NOT) – A written submission to the executive director from a permittee authorized under a general permit requesting termination of coverage under this general permit.

Outfall – A point source at the point where a small MS4 discharges to Waters of the U.S. and does not include open conveyances connecting two municipal separate storm sewers, or pipes, tunnels, or other conveyances that connect segments of the same stream or other Waters of the U.S. and are used to convey Waters of the U.S. For the purpose of this permit, sheet flow leaving a linear transportation system without channelization is not considered an outfall. Point sources such as curb cuts; traffic or right-of-way barriers with drainage slots that drain into open culverts, open swales, or an adjacent property, or otherwise not actually discharging into Waters of the U.S. are not considered an outfall.

Permittee – The MS4 operator authorized under this general permit.

Point Source – (from 40 CFR § 122.22) any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural stormwater runoff.

Pollutant(s) of Concern (POCs) – For the purpose of this permit, includes biochemical oxygen demand (BOD), sediment or a parameter that addresses sediment (such as total suspended solids (TSS), turbidity or siltation), pathogens, oil and grease, and any pollutant that has been identified as a cause of impairment of any water body that will receive a discharge from an MS4. (Definition from 40 CFR § 122.32(e)(3)).

Redevelopment – Alterations of a property that changed the "footprint" of a site or building in such a way that there is a disturbance of equal to or greater than one acre of land. This term does not include such activities as exterior remodeling, routine maintenance activities, and linear utility installation.

Semiarid Areas – Areas with an average annual rainfall of at least ten inches, but less than 20 inches.

Small Municipal Separate Storm Sewer System (MS4) – A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains):

(a) Owned or operated by the U.S., a state, city, town, borough, county, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under CWA § 208;

(b) Designed or used for collecting or conveying stormwater;

(c) Which is not a combined sewer;

(d) Which is not part of a POTW as defined in 40 CFR § 122.2; and

(e) Which was not previously regulated under a National Pollutant Discharge Elimination System (NPDES) or a Texas Pollutant Discharge Elimination System (TPDES) individual permit as a medium or large municipal separate storm sewer system, as defined in 40 CFR §§ 122.26(b)(4) and (b)(7).

This term includes systems similar to separate storm sewer systems at military bases, large hospitals or prison complexes, and highways and other thoroughfares. This term does not include separate storm sewers in very discrete areas, such as individual buildings. For the purpose of this permit, a very discrete system also includes storm drains associated with certain municipal offices and education facilities serving a nonresidential population, where those storm drains do not function as a system, and where the buildings are not physically interconnected to a small MS4 that is also operated by that public entity.

Stormwater and Stormwater Runoff – Rainfall runoff, snow melt runoff, and surface runoff and drainage.

Stormwater Associated with Construction Activity – Stormwater runoff from an area where there is either a large construction or a small construction activity.

Stormwater Management Program (SWMP) – A comprehensive program to manage the quality of discharges from the MS4.

Structural Control (or Practice) – A pollution prevention practice that requires the construction of a device, or the use of a device, to capture or prevent pollution in stormwater runoff. Structural controls and practices may include but are not limited to wet ponds, bioretention, infiltration basins, stormwater wetlands, silt fences, earthen dikes, drainage swales, vegetative lined ditches, vegetative filter strips, sediment traps, check dams, subsurface drains, storm drain inlet protection, rock outlet protection, reinforced soil retaining systems, gabions, and temporary or permanent sediment basins.

Surface Water in the State – Lakes, bays, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, wetlands, marshes, inlets, canals, the Gulf of Mexico inside the territorial limits of the state (from the mean high water mark (MHWM) out 10.36 miles into the Gulf), and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, navigable or nonnavigable, and including the beds and banks of all water courses and bodies of surface water, that are wholly or partially inside or bordering the state or subject to the jurisdiction of the state. Waters in treatment systems which are authorized by state or federal law, regulation, or permit, and which are created for the purpose of waste treatment are not considered to be water in the state.

Total Maximum Daily Load (TMDL) – The total amount of a substance that a water body can assimilate and still meet the Texas Surface Water Quality Standards.

Traditional Small MS4 – A small MS4 that can pass ordinances and have the enforcement authority to enforce the stormwater management program. An example of traditional MS4s includes cities.

Urban Area – A statistical geographic entity consisting of a densely settled core created from census blocks and contiguous qualifying territory that together have at least 2,000 housing units or 5,000 persons as defined and used by the U.S. Census Bureau in the 2020 Decennial Census.

Urbanized Area (UA) – A retired statistical geographic entity type consisting of a densely settled core created from census tracts or blocks and adjacent densely settled territory that together have a minimum population of 50,000 people which was used by the U.S. Census Bureau in the 2000 and the 2010 Decennial Census.

Waters of the United States – Waters of the United States or Waters of the U.S. means the term as defined in 40 CFR § 122.2.

APPENDIX A - NOI Authorization

City of Kennedale, Texas
Stormwater Management Program

AVO 56591.001

APPENDIX B – TCEQ Core Data Form

City of Kennedale, Texas
Stormwater Management Program

AVO 56591.001

APPENDIX C – General Permit TXR040000

City of Kennedale, Texas
Stormwater Management Program

AVO 56591.001