

Phase II (Small) MS4 Annual Report Form
TPDES General Permit No. TXR040000

A. General Information

1. Permit No. **TXR040133**

Annual Report Period: Aug. 13, 2008 – Aug. 12, 2009

Name of MS4 / Permittee: **City of Nederland (Jefferson County Stormwater Quality Coalition)**

Contact Name: **Steve Hamilton, P.E.**

Telephone Number: **409-723-1565**

Mailing Address: **P.O. Box 967 Nederland, TX 77627**

E-mail Address: **shamilt@ci.nederland.tx.us**

2. Is the named permittee relying on another entity/ies to satisfy some of its permit obligations? Yes No

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

Name and Explanation:

The permittee is a participating member in the Jefferson County Storm Water Coalition and is responsible for implementation of the SWMP in its entirety. However some of the activities are being conducted as a group, such as the development of public education materials, development of ordinances, guidance documents and procedures. The coalition consists of the City of Nederland, City of Groves, City of Port Neches, City of Port Arthur, Jefferson County and the Jefferson County Drainage District No. 7. The Jefferson County Drainage District No. 7 does rely on the Cities and County members of the coalition for enforcement of illicit discharge prohibitions, construction site plan review and inspections, post-construction control measures requirements and regulations. The Cities and County MS4 permit coverage areas completely contain the entire Jefferson County Drainage District No. 7 permit coverage area.

3. Is the named permittee sharing a SWMP with other entities? _____ Yes No

If "Yes," list all associated permit numbers and permittee names (add additional spaces or pages if needed):

Permit Number: _____ Permittee: _____

Permit Number: _____ Permittee: _____

Permit Number: _____ Permittee: _____

Permit Number: _____ Permittee: _____

Permit Number: _____ Permittee: _____

4. Is this a system-wide annual report including information for all permittees? _____ Yes No

Explanation, if any

5. Has a copy of this annual report been submitted to the TCEQ Regional Office? Yes _____ No

A. SWMP Modifications and Additional Information.

Include a brief explanation if you check "Yes" to any of the following statements.

1. a. Changes have been made or are proposed to the SWMP since the NOI or the last annual report, including changes in response to TCEQ's review. _____ Yes No

b. If Yes to the above, has the TCEQ already approved the original SWMP? _____ Yes _____ No

N/A

c. If Yes to the above, indicate whether an NOC (or letter) has been submitted to document the changes to the approved SWMP as required by the general permit. (Note that if an NOC is required, it must be submitted to the address shown on the NOC. Do not attach the original NOC form to this report.) _____ Yes _____ No

N/A

2. The MS4 has annexed lands since obtaining permit coverage. _____ Yes No

3. A receiving water body is newly listed as impaired or a TMDL has been established. _____ Yes No

4. The MS4 has conducted analytical monitoring of storm water quality. _____ Yes No

Explain below or attach a summary to submit along with any monitoring data used to evaluate the success of the SWMP at reducing pollutants to the maximum extent practicable. Be sure to include a discussion of results.

C. Narrative Provisions.

1. Provide information on the status of complying with permit conditions:

| | Yes | No | Explain |
|---|-----|----|---------|
| Permittee is currently in compliance with the SWMP as submitted to and approved by the TCEQ. | X | | |
| Permittee is currently in compliance with recordkeeping and reporting requirements. | X | | |
| Permittee meets the eligibility requirements of the permit (e.g., TMDL requirements, Edwards Aquifer limitations, compliance history, etc.) | X | | |

2. Provide a general assessment of the appropriateness of the selected BMPs:

Has the permittee determined that any of the selected BMPs are not appropriate for reducing the discharge of pollutants in storm water?

_____ Yes No

Provide explanation:

The City selected the BMPs included in the SWMP based on the requirements of permit requirements included in each minimum control measure. The BMPs selected are currently considered appropriate for reducing the discharge of storm water pollutants. The SWMP was reviewed by the TCEQ to determine if the SWMP met the MEP. The City created an addendum to the SWMP in response to the TCEQ comments.

3. Describe progress towards reducing the discharge of pollutants to the maximum extent practicable (MEP). Summarize any information used (such as monitoring data) to evaluate reductions in the discharge of pollutants. Use a narrative description or table as appropriate:

| MCM | BMP | Parameter | Quantity | Units | Does BMP Demonstrate a Direct Reduction in Pollutants? (Yes / No / Explain) |
|-----|--|---------------------------------|---|-------------|--|
| 1 | Education of Construction Site Personnel | Number of materials distributed | 6 Posters, 300 Brochures, and Guidance Document | Materials | No |
| 3 | MS4 Outfall Screening | Percentage of outfalls screened | Approximately 25% of total outfalls | Percent | Yes, 1 illicit discharge was detected during dry weather screening. The source was identified as a local car washing business and the problem has been addressed. |
| 4 | Construction SWP3 Review and Permit Compliance | Number of permits issued | 0 | Permits | Stormwater Quality Ordinance was passed requiring all applicable construction sites to apply for a stormwater permit from the city. This was implemented at the end of permit year 2 and data will be provided in year 3 annual report. BMP should result in a direct reduction in pollutants from construction site runoff. |
| 4 | Construction Site Inspection | Number of inspections | 0 | Inspections | Construction sites requiring a stormwater permit from the city will be inspected for compliance with the stormwater quality ordinance. Local contractor training seminar was conducted on the ordinance, permitting, and inspection process. Data will be provided in year 3 annual report. BMP should result in a direct reduction in pollutants from construction site runoff. |

| | | | | | |
|---|---|--|---|----------------------|--|
| 4 | Construction Ordinance | Number of enforcement actions | 0 | Enforcement actions | Stormwater Quality Ordinance was developed and adopted at the end of year 2. Ordinance regulates all construction sites that are greater than or equal to 1 acre or are part of a common plan of development. Enforcement actions generated from this ordinance will be included in the year 3 annual report. BMP should result in a direct reduction in pollutants from construction site runoff. |
| 6 | Pesticide and Herbicide Application | Number of licensed applicators | 1 | Licensed applicators | No, licensed applicators are required to have continuing education and training on the proper application of pesticides/herbicides. |
| 6 | Maintenance of Roadways and Parks | Number of maintenance projects with pollution prevention plans implemented | 0 | Projects | No; BMP was implemented at the end of year 2 and requires new roadway maintenance projects to have a standard pollution prevention plan that will reduce the discharge of sediment and roadway material pollutants. |
| 6 | Municipally Owned Industrial Facilities | Number of facilities self-audited | 1 | Facilities | No |

Or, provide explanation below:

N/A

4. Provide a general evaluation of the program's progress, including any obstacles or challenges encountered in implementing BMPs, meeting the program's schedule, etc.:

The implementation of the SWMP is currently in compliance with the implementation schedule. No significant obstacles or challenges have been encountered thus far.

5. Provide the number of construction activities (other than those where the permittee was the operator) that occurred within the regulated area as indicated via notices of intent or site notices:

0

6. Does the permittee utilize the 7th MCM related to construction? _____ Yes No

If Yes, then provide the following information:

a. The number of municipal construction activities authorized under this general permit: **N/A**

b. The total number of acres disturbed for municipal construction projects: **N/A**

Though the 7th MCM is optional, this must be requested on the NOI or on a NOC and approved by the TCEQ.

7. Requirements for Specific Minimum Controls Measures (MCMs):

a. For MCM 1 - Public Education and Outreach, provide documentation of activities conducted and materials used to fulfill the requirements of this MCM.

b. Also for MCM 1, provide documentation of the amount of resources used to address each group (e.g., visitors, businesses, etc.).

c. For MCM 3 – Illicit Discharge Detection and Elimination (IDDE), indicate whether you have developed a list of allowable non-storm water discharges, other than those already listed in the general permit. If you have developed a list and have made any changes to the local controls, conditions and/or programs being established for discharges, include this information below. If you do not have any changes for this permit year, indicate that this item is not applicable.

a) 300 After the Storm brochures were printed and made available to the public, 6 educational posters on construction activities were developed and displayed, a guidance document was developed and made available to construction site personnel covering construction site runoff issues, and a stormwater quality training seminar was conducted for local contractors, engineers, building inspectors, etc.

b) After the Storm brochures and posters were displayed at city hall and were available for all target audiences including visitors, residents, business owners, etc (Estimated \$500). The guidance document and stormwater quality training seminar was developed to target all personnel involved in construction activity (Estimated \$3,000).

c) N/A

8. Describe any proposed changes to the SWMP in the coming reporting year.

None

9. Describe any activities planned for the next permit year / reporting cycle.

| MCM | BMP | Full Implementation by End of |
|-----|---|-------------------------------|
| 1 | Flyers and Brochures | Year 4 |
| 1 | Impacts of Illegal Dumping and Littering | Year 3 |
| 1 | Distribute Materials to Local Schools | Year 3 |
| 1 | Education of Construction Site Personnel | Year 2 |
| 1 | Public Service Announcements | Year 4 |
| 1 | Storm Drain Stenciling or Appliqués | Year 5 |
| 2 | SWMP Committee | Year 4 |
| 2 | Conduct Public Hearings | Year 4 |
| 3 | Maintain and update the MS4 Outfall Inventory Map | Year 4 |
| 3 | MS4 Outfall Screening (Dry Weather Screening of Outfalls) | Year 2 |

| | | |
|---|---|--------|
| 3 | Watershed Protection Ordinance | Year 3 |
| 4 | Construction SWP3 Review and Permit Compliance | Year 2 |
| 4 | Construction Site Inspection | Year 2 |
| 4 | Construction Ordinance | Year 2 |
| 4 | Construction Site Notice Posting | Year 3 |
| 5 | Development Project Plan Review | Year 3 |
| 5 | Inspection of Post Construction Control Measures | Year 4 |
| 5 | Post Construction Site Runoff Ordinance | Year 3 |
| 6 | Litter/Garbage Collection | Year 3 |
| 6 | Pesticide and Herbicide Application | Year 2 |
| 6 | Maintenance of Roadways and Parks | Year 2 |
| 6 | Vehicle and Equipment Maintenance | Year 4 |
| 6 | Spill Prevention Plans | Year 3 |
| 6 | Employee Training Program | Year 3 |
| 6 | Disposal of Waste | Year 2 |
| 6 | Maintenance Office and Stockpile Material Storage Areas | Year 3 |
| 6 | Storm Sewer System Maintenance | Year 4 |
| 6 | Maintain Municipally Owned Construction Sites | Year 4 |
| 6 | Municipal Parking Lots | Year 4 |
| 6 | Deicing Materials Storage and Use | Year 4 |
| 6 | Municipally Owned Industrial Facilities | Year 2 |

D. Storm Water Management Program Status. Provide the status of every BMP and measurable goal listed in the SWMP, as described in the instructions. Each MCM, but not necessarily each BMP, must include the measurable goals described in the SWMP. For a shared SWMP, include the name of the responsible MS4 operator(s) in the “BMP” column. *(Though an MS4 is not required to implement BMPs until the initial SWMP is approved by the TCEQ, the MS4’s initial annual report should include a description of what has been done to date, even if the SWMP has not yet been approved. The MS4 will receive credit for all BMPs implemented prior to and during the first permit year if they are described in the initial annual report.)*

Table 1 – BMP Status

| MCM(s) | BMP | Year 2 Milestones | New or Revised | Start Date | Status / Completion Date (completed, in progress, not started) |
|---------------|--|---|-----------------------|-------------------|---|
| 1 | Flyers and Brochures | Prepared and made available 300 After the Storm brochures and door hangers and 6 construction posters. | No | 8/12/2011 | In Progress / implemented early |
| 1 | Impacts of Illegal Dumping and Littering | Prepared and made available 300 After the Storm brochures and door hangers and 6 construction posters. | No | 8/12/2010 | In Progress / implemented early |
| 1 | Distribute Materials to Local Schools | Not due yet. | No | 8/12/2010 | Not started / required to be started in year 3. |
| 1 | Education of Construction Site Personnel | Developed construction guidance document, posted 6 construction posters, and conducted contractor training. | No | 8/12/2009 | In Progress / continued full implementation. |
| 1 | Public Service Announcements | Not due yet. | No | 8/12/2011 | Not started / required to be started in year 4. |
| 1 | Storm Drain Marking | Not due yet. | No | 8/12/2012 | Not started / required to be started in year 5. |

| | | | | | |
|---|---|--|----|-----------|--|
| 2 | SWMP Committee | Not due yet. | No | 8/12/2011 | Not started / required to be started in year 4. |
| 2 | Conduct Public Meetings | Not due yet. | No | 8/12/2011 | Not started / required to be started in year 4. |
| 3 | Maintain and update the MS4 Outfall Inventory | Approximately 100% of the outfalls have been mapped. | No | 8/12/2011 | Early implementation / Started Early as required to complete dry weather screening |
| 3 | MS4 Outfall Inspection (Dry Weather Inspection) | Approximately 25% of outfalls have been dry weather screened. | No | 8/12/2009 | In Progress / Full Implementation |
| 3 | Watershed Protection Ordinance | Ordinance adopted | No | 8/12/2010 | Early implementation / required to be started in year 3. |
| 4 | Construction SWP3 Review and Permit Compliance | Stormwater Quality Ordinance was passed requiring all applicable construction sites to apply for a stormwater permit from the city. During this process construction SWP3s will be reviewed for permit compliance. This was implemented at the end of permit year 2 and data will be provided in year 3 annual report. | No | 8/12/2009 | In Progress |
| 4 | Construction Site Inspection | Construction sites requiring a stormwater permit from the city will be inspected for compliance with the stormwater quality ordinance. Local contractor training seminar was conducted on the ordinance, permitting, and inspection process. Data will be provided in year 3 annual report. | No | 8/12/2009 | In Progress |

| | | | | | |
|---|--|---|----|-----------|--|
| 4 | Construction Ordinance | Stormwater Quality Ordinance was developed and adopted at the end of year 2. Ordinance regulates all construction sites that are greater than or equal to 1 acre or are part of a common plan of development. Enforcement actions generated from this ordinance will be included in the year 3 annual report. | No | 8/12/2009 | In Progress/Full Implementation |
| 4 | Construction Site Notice Posting | Not due yet. | No | 8/12/2010 | Not started / required to be started in year 3. |
| 5 | Development Project Plan Review | The coalition developed a guidance document for the selection and incorporation of post construction controls. | No | 8/12/2010 | Early implementation / required to be started in year 3. |
| 5 | Inspection of Post Construction Control Measures | Not due yet. | No | 8/12/2011 | Not started / required to be started in year 4. |
| 5 | Post Construction Site Runoff Ordinance | Ordinance has been developed and adopted. | No | 8/12/2010 | Early implementation / required to be started in Year 3. |
| 6 | Litter/Garbage Collection | Not due yet. | No | 8/12/2010 | Not started / required to be started in year 3. |

| | | | | | |
|---|---|--|----|-----------|---|
| 6 | Pesticide and Herbicide Application | City has appropriate licensing for personnel responsible for applications. | No | 8/12/2009 | In Progress / Full Implementation |
| 6 | Maintenance of Roadways and Park Areas | Roadway maintenance project guidance and standard pollution prevention plans have been developed. | No | 8/12/2009 | In Progress / Full Implementation |
| 6 | Vehicle and Equipment Maintenance | Not due yet. | No | 8/12/2011 | Not started / required to be started in year 4. |
| 6 | Spill Prevention Plans | Not due yet. | No | 8/12/2010 | Not started / required to be started in year 3. |
| 6 | Employee Training Program | Not due yet. | No | 8/12/2010 | Not started / required to be started in year 3. |
| 6 | Disposal of Waste | City disposes of floatables collected in an approved landfill, dirt and sediment removed from the drainage systems is re-used for fill as necessary. | No | 8/12/2009 | In Progress / Full Implementation |
| 6 | Maintenance Office and Stockpile Material Storage | Not due yet. | No | 8/12/2010 | Not started / required to be started in year 3. |
| 6 | Storm Sewer System Maintenance | Not due yet. | No | 8/12/2011 | Not started / required to be started in year 4. |
| 6 | Maintain Municipally Owned Construction Sites | Not due yet. | No | 8/12/2011 | Not started / required to be started in year 4. |
| 6 | Municipal Parking Lots | Not due yet. | No | 8/12/2011 | Not started / required to be started in year 4. |

| | | | | | |
|---|---|--|----|-----------|---|
| 6 | Roadway Deicing Procedures | Not due yet. | No | 8/12/2011 | Not started / required to be started in year 4. |
| 6 | Municipally Owned Industrial Facilities | Conducted inspections of each facility to determine compliance with the MSGP. All facilities had permit coverage, and provided updated training about recordkeeping. | No | 8/12/2009 | In Progress / Full Implementation |

Table 2 – Measurable Goals Status

| MCM(s) | BMP | Measurable Goal(s) | Success | Proposed Changes (submit NOC as needed) |
|---------------|--|--|---|--|
| 1 | Flyers and Brochures | Distribute or post at least 2 types of available brochures per year (years 4 & 5) | Met Early | No Changes |
| 1 | Impacts of Illegal Dumping and Littering | Distribute or post at least 2 types of available brochures per year (years 3,4,5) | Not Due Yet | No Changes |
| 1 | Distribute Materials to Local Schools | Ensure at least 1 type of material is distributed annually to the local schools (years 3,4,5) | Not Due Yet | No Changes |
| 1 | Education of Construction Site Personnel | Make available to construction site personnel at least 1 guidance on construction site runoff issues each year (years 2,3,4,5) | Met / Developed guidance document, displayed posters, and conducted training sessions for contractors and developers. | No Changes |
| 1 | Public Service Announcements | Provide at least 1 PSA to be aired by the local media whenever possible at least once per permit term (years 4,5) | Not Due Yet | No Changes |
| 1 | Storm Drain Marking | Mark approximately 100% of permanent drains by the end of the permit term. (year 5) | Not Due Yet | No Changes |
| 2 | SWMP Committee | Invite local groups to participate at least once per permit term (years 4, 5) | Not Due Yet | No Changes |
| 2 | Conduct Public Meetings | Invite local group to attend public meetings and perform public meetings at | Not Due Yet | No Changes |

| | | | | |
|---|--|--|--|------------|
| | | least once per permit term (years 4, 5) | | |
| 3 | Maintain and update the MS4 Outfall Inventory Map | Conduct 1 review of the map per permit term. (years 4,5) | Met / Mapped approximately 100% of the outfalls. | No Changes |
| 3 | MS4 Outfall Inspection (Dry Weather Screening of Outfalls) | Screen 100% of the outfalls once per permit term. (25% per year) (years 2,3,4,5) | Met / Dry weather screening of approximately 25% of the outfalls has been conducted. | No Changes |
| 3 | Watershed Protection Ordinance | Enforce the watershed protection ordinance as needed. (years 3,4,5) | Started early | No Changes |
| 4 | Construction SWP3 Review and Permit Compliance | Review construction plans that will result in the disturbances of greater than or equal to one acre, or are part of a common plan of development or sale that will result in the disturbance of one or more acres for compliance with the local construction regulations on an as needed basis (years 2,3,4,5) | In progress / Stormwater Quality Ordinance was passed requiring all applicable construction sites to apply for a stormwater permit from the city. During this process construction SWP3s will be reviewed for permit compliance. This was implemented at the end of permit year 2 and data will be provided in year 3 annual report. | No Changes |
| 4 | Construction Site Inspection | Conduct inspections according to the local construction regulations (years 2,3,4,5) | In progress / Construction sites requiring a stormwater permit from the city will be inspected for compliance with the stormwater quality ordinance. Local contractor training seminar was conducted | No Changes |

| | | | | |
|---|--|--|--|------------|
| | | | on the ordinance, permitting, and inspection process. Data will be provided in year 3 annual report. | |
| 4 | Construction Ordinance | Enforce the local construction regulations as needed. (years 2,3,4,5) | Met / Ordinance developed and adopted | No Changes |
| 4 | Construction Site Notice Posting | Post an appropriate site notice at each City construction site subject to the TCEQ Construction General Permit (years 3,4,5) | Not Due Yet | No Changes |
| 5 | Development Project Plan Review | Review construction plans for the inclusion of appropriate post-construction controls on an as needed basis (years 3,4,5) | Started early, developed guidance documents for post-construction. | No Changes |
| 5 | Inspection of Post Construction Control Measures | Conduct at least 1 inspection of control measures per permit term (years 4,5) | Not Due Yet | No Changes |
| 5 | Post Construction Site Runoff Ordinance | Enforce the local post construction site runoff regulations as needed (years 3,4,5) | Started early, developed and adopted the ordinance | No Changes |
| 6 | Litter/Garbage Collection | Collect litter/garbage at least once per year for each identified area included in the program (years 3,4,5) | Not Due Yet | No Changes |
| 6 | Pesticide and Herbicide Application | Maintain at least 1 licensed applicator if herbicide or pesticide is to be applied (years 2,3,4,5) | Met | No Changes |

| | | | | |
|---|---|---|---|------------|
| 6 | Maintenance of Roadways and Park Areas | Implement a P3 or SWP3 on City maintenance projects requiring formal plans and specifications (years 2,3,4,5) | Met, developed roadway maintenance project guidance and standard pollution prevention plans. | No Changes |
| 6 | Vehicle and Equipment Maintenance | Perform inspections and maintenance activities as indicated by manufacturer's specifications (years 4, 5) | Not Due Yet | No Changes |
| 6 | Spill Prevention Plans | Maintain SPCC plans for permittee owned facilities requiring SPCC plans (years 3,4,5) | Not Due Yet | No Changes |
| 6 | Employee Training Program | Conduct at least one training program per permit term (years 3,4,5) | Not Due Yet | No Changes |
| 6 | Disposal of Waste | Properly dispose of waste materials on a routine basis (years 2,3,4,5) | Met, all floatables collected are disposed in an approved landfill, dirt and sediment removed from the drainage systems is re-used for fill as necessary. | No Changes |
| 6 | Maintenance Office and Stockpile Material Storage Areas | Conduct an inspection of each pollution prevention plan at least once per permit term (years 3,4,5) | Not Due Yet | No Changes |
| 6 | Storm Sewer System Maintenance | Inspect/maintain approximately 50% of the system per year (years 4,5) | Not Due Yet | No Changes |
| 6 | Maintain Municipally Owned Construction Sites | Inspect and maintain municipally owned construction sites as required by the TCEQ Construction General | Not Due Yet | No Changes |

| | | | | |
|---|---|--|---|------------|
| | | Permit (years 4,5) | | |
| 6 | Municipal Parking Lots | Inspect/maintain municipal parking areas at least once per year (years 4,5) | Not Due Yet | No Changes |
| 6 | Roadway Deicing Procedures | Properly use and remove deicing material. (years 4,5) | Not Due Yet | No Changes |
| 6 | Municipally Owned Industrial Facilities | Comply with the TCEQ MSGP at municipally owned industrial facilities that are eligible for MSGP coverage (years 2,3,4,5) | Met. Conducted inspections of each facility to determine compliance with the MSGP. All facilities had permit coverage, and provided updated training about recordkeeping. | No Changes |

Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name (printed): _____

Title: _____

Signature: _____

Date: _____

Jaya Zyman-Ponebshek, Team Leader
Texas Commission on Environmental Quality
Storm Water and Pretreatment Team (MC-148)
P.O. Box 13087
Austin, Texas 78711-3087

Re: Phase II MS4 Annual Report Transmittal for City of Nederland
TPDES Permit Number: TXR040133

Dear Ms. Zyman-Ponebshek:

This letter serves to transmit the Year 2 Annual Report for the Texas Pollutant Discharge Elimination System (TPDES) Small Municipal Separate Storm Sewer System (MS4) General Permit, Authorization Number TXR040133 for the City of Nederland.

A separate Notice of Change (NOC) has not been submitted based on the fact that changes have not been proposed for Year 3.

As required by the general permit, a copy of this submittal has also been mailed to the TCEQ's regional office in Beaumont, Texas.

Sincerely,

Steve Hamilton, P.E.
Public Works Director