

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

A. General Information

1. Permit No. **TXR040133**

Annual Report Period: Aug. 13, 2009 – Aug. 12, 2010

Name of MS4 / Permittee: **City of Nederland (Jefferson County Storm Water 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. X Yes _____ No

The City of Nederland annexed a tract of land totaling 156.08 acres during Permit Year 3. See Attachment B for details of annexation.

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

4. The MS4 has conducted analytical monitoring of storm water quality. _____ Yes X 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	Impacts of Illegal Dumping and Littering	Number of materials distributed	300 After the Storm brochures and 300 Illegal Dumping brochures	Materials	No
1	Distribute Materials to Local Schools	Number of materials distributed	600 storm water educational bookmarks	Bookmarks	No
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 50% of total outfalls	Percent	Yes, 2 illicit discharges were detected during dry weather screening. These discharges were corrected resulting in a direct reduction in pollutants.
3	Watershed Protection Ordinance	Number of enforcement actions	1	Enforcement Actions	Yes, enforcement of the watershed protection ordinance results in a direct reduction in pollutants.

4	Construction SWP3 Review and Permit Compliance	Number of permits issued	34	Permits	Yes, reviewing plans ensures that appropriate structural controls are being used to reduce pollution.
4	Construction Site Inspection	Number of inspections	34	Inspections	Yes, inspection of construction sites ensures that appropriate controls are in place and functioning properly to reduce pollution.
4	Construction Ordinance	Number of enforcement actions	0	Enforcement actions	Yes, enforcement of the construction ordinance represents a direct reduction in pollution.
4	Construction Site Notice Posting	Quantity of Site Notices	1	Site Notices	No
5	Development Project Plan Review	Development Plans Reviewed	0	Plans	Yes, reviewing plans ensures that appropriate structural controls are being used to reduce pollution.
5	Post Construction Site Runoff Ordinance	Number of enforcement actions	0	Enforcement Actions	Yes, enforcement of the post construction site runoff ordinance represents a direct reduction in pollution.
6	Litter/Garbage Collection	Volume of litter collected	~30,000	Cubic Yards	Yes, conducting litter/garbage collection reduces the amount of floatables and other dumping related waste.
6	Pesticide and Herbicide Application	Number of licensed applicators	12	Licensed applicators	No
6	Maintenance of Roadways and Parks	Number of maintenance projects with pollution	0	Projects	Yes, implementation of pollution prevention plans for roadway maintenance projects represents a direct reduction in pollutants from roadway

		prevention plans implemented			maintenance projects.
6	Spill Prevention Plans	Number of SPCC Plans	1	SPCC Plans	No
6	Employee Training Program	Number of employees trained	23	Employees	No
6	Disposal of Waste	Methods of Disposal	N/A	N/A	Yes, collected floatables are disposed of in an approved landfill and dirt/sediment removed from the drainage systems is re-used for fill as necessary
6	Maintenance Office and Stockpile Material Storage Areas	Number of Inspections	1	Inspections	No
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:

34

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, 300 Illegal Dumping brochures, and 600 bookmarks were printed and made available to the public, 6 educational posters on construction activities were displayed, a guidance document was made available to construction site personnel covering construction site runoff issues, and a Jefferson County Storm Water Quality Coalition website was developed and made available.

b) After the Storm brochures, Illegal Dumping 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 was developed to target all personnel involved in construction activity and the website was designed to help educate all target audiences(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.

In addition to the BMPs already implemented, the highlighted BMPs will be implemented during Year 4.

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 3 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 300 Illegal Dumping brochures.	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 300 Illegal Dumping brochures.	No	8/12/2010	Full implementation
1	Distribute Materials to Local Schools	Prepared and made available 600 bookmarks.	No	8/12/2010	Full implementation
1	Education of Construction Site Personnel	Developed construction guidance document, posted 6 construction posters, and made available 300 After the Storm brochures.	No	8/12/2009	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 50% of outfalls have been dry weather screened.	No	8/12/2009	Full Implementation
3	Watershed Protection Ordinance	Ordinance has been adopted and is currently being enforced	No	8/12/2010	Full implementation
4	Construction SWP3 Review and Permit Compliance	All applicable construction SWP3s are reviewed for permit compliance.	No	8/12/2009	Full implementation
4	Construction Site Inspection	All applicable construction sites that are issued permits are inspected.	No	8/12/2009	Full implementation
4	Construction Ordinance	The construction ordinance has been adopted and is currently being enforced.	No	8/12/2009	Full Implementation
4	Construction Site Notice Posting	The City of Port Neches did not have any construction projects that required the posting of a	No	8/12/2010	Full implementation
5	Development Project Plan Review	The City of Port Neches did not have any development projects during Year 3.	No	8/12/2010	Full implementation

5	Inspection of Post Construction Control Measures	The City has a construction inspection program and will inspect all applicable post	No	8/12/2011	Not started / required to be started in year 4.
5	Post Construction Site Runoff Ordinance	Ordinance has been adopted and is currently being enforced.	No	8/12/2010	Full implementation
6	Litter/Garbage Collection	The City conducts garbage/litter collection to reduce floatable materials.	No	8/12/2010	Full implementation
6	Pesticide and Herbicide Application	City has appropriate licensing for personnel responsible for applications.	No	8/12/2009	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	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	The coalition conducted a self-audit and is developing SPCC Plans for all applicable facilities.	No	8/12/2010	In Progress / Full implementation
6	Employee Training Program	The City has developed a training program and trained 34 employees in year 3.	No	8/12/2010	Full implementation
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	Full Implementation
6	Maintenance Office and Stockpile Material Storage	Coalition has begun implementation by conducting a self-audit of maintenance offices	No	8/12/2010	In progress/Full implementation

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	1
1	Impacts of Illegal Dumping and Littering	Distribute or post at least 2 types of available brochures per year (years 3,4,5)	Met	1
1	Distribute Materials to Local Schools	Ensure at least 1 type of material is distributed annually to the local schools (years 3,4,5)	Met	1
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	1
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	1
1	Storm Drain Marking	Mark approximately 100% of permanent drains by the end of the permit term. (year 5)	Not Due Yet	1
2	SWMP Committee	Invite local groups to participate at least once per permit term (years 4, 5)	Not Due Yet	2
2	Conduct Public Meetings	Invite local group to attend public meetings and perform public meetings at	Not Due Yet	2

		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.	3
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	3
3	Watershed Protection Ordinance	Enforce the watershed protection ordinance as needed. (years 3,4,5)	Met	3
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)	Met	4
4	Construction Site Inspection	Conduct inspections according to the local construction regulations (years 2,3,4,5)	Met	4
4	Construction Ordinance	Enforce the local construction regulations as needed. (years 2,3,4,5)	Met	4
4	Construction Site Notice Posting	Post an appropriate site notice at each City construction site subject to the TCEQ Construction General Permit	Met	4

		(years 3,4,5)		
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)	Met	5
5	Inspection of Post Construction Control Measures	Conduct at least 1 inspection of control measures per permit term (years 4,5)	Not Due Yet	5
5	Post Construction Site Runoff Ordinance	Enforce the local post construction site runoff regulations as needed (years 3,4,5)	Met	5
6	Litter/Garbage Collection	Collect litter/garbage at least once per year for each identified area included in the program (years 3,4,5)	Met	6
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	6
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	6
6	Vehicle and Equipment Maintenance	Perform inspections and maintenance activities as indicated by manufacturer's specifications (years 4, 5)	Not Due Yet	6

6	Spill Prevention Plans	Maintain SPCC plans for permittee owned facilities requiring SPCC plans (years 3,4,5)	Met	6
6	Employee Training Program	Conduct at least one training program per permit term (years 3,4,5)	Met	6
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.	6
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)	In Progress	6
6	Storm Sewer System Maintenance	Inspect/maintain approximately 50% of the system per year (years 4,5)	Not Due Yet	6
6	Maintain Municipally Owned Construction Sites	Inspect and maintain municipally owned construction sites as required by the TCEQ Construction General Permit (years 4,5)	Not Due Yet	6
6	Municipal Parking Lots	Inspect/maintain municipal parking areas at least once per year (years 4,5)	Not Due Yet	6
6	Roadway Deicing Procedures	Properly use and remove deicing material. (years 4,5)	Not Due Yet	6
6	Municipally Owned Industrial Facilities	Comply with the TCEQ MSGP at municipally owned industrial facilities that are	Met. Conducted inspections of each facility to determine	6

		eligible for MSGP coverage (years 2,3,4,5)	compliance with the MSGP. All facilities had permit coverage, and provided updated training about recordkeeping.	
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City of Nederland

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 3 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 4.

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,

John Concienne
Environmental Scientist
Carroll & Blackman, Inc.