



**Notice of Intent (NOI) for Storm Water
Discharges from Small Municipal Separate
Storm Sewer Systems (MS4) under the TPDES
Phase II MS4 General Permit (TXR040000)**

TCEQ Office Use Only
Permit No.:
RN:
CN:



Did you know you can pay on line? Go to www.tceq.state.tx.us/ePay

Select Fee Type: GENERAL PERMIT MS4 PHASE II STORM WATER DISCHARGE NOI APPLICATION

Application Fee: You must pay the \$100 Application Fee to TCEQ for the application to be considered complete.
How did you pay this fee?

<input checked="" type="checkbox"/> Mailed:	Check/Money Order No.: 302352	Name Printed on Check: Lubbock County
<input type="checkbox"/> EPAY:	Voucher No.:	Is the Payment Voucher copy attached? <input type="checkbox"/> Yes

IMPORTANT:

- Use the attached **INSTRUCTIONS** when completing this form.
- After completing this form, use the attached **CUSTOMER CHECKLIST** to make certain all items are complete and accurate.
- Missing, illegible, or inaccurate items may delay final acknowledgment or coverage under the general permit.

One (1) copy of the NOI and SWMP with the completed SWMP Cover Sheet MUST be submitted with the original NOI and SWMP.

Is the copy attached? ☒ Yes

A. OPERATOR (applicant)

1. If the applicant is currently a customer with TCEQ, what is the Customer Number (CN) issued to this entity?
CN 600770697

What is the full Legal Name of the applicant?

Lubbock County

(The exact legal name must be provided.)

3. What is the applicant's mailing address as recognized by the **US Postal Service**?

Address: P.O. Box 10536		Suite No./Bldg. No./Mail Code:
City: Lubbock	State: Texas	ZIP Code: 79408-3536

Country Mailing Information (if outside USA). Country Code: Postal Code:

4. Phone No.: (806) 775-1000 Extension:

5. Fax No.: (806) 775-1550 E-mail Address:

6. Indicate the type of Customer:

- ☐ Federal Government ☐ State Government ☒ County Government
☐ City Government ☐ Other Government

7. Number of Employees: ☐ 0-20; ☐ 21-100; ☐ 101-250; ☐ 251-500; or ☒ 501 or higher

B. BILLING ADDRESS

The Operator is responsible for paying the annual fee. The annual fee will be assessed to permits **active on September 1 of each year**. TCEQ will send a bill to the address provided in this section. The Operator is responsible for terminating the permit when it is no longer needed.

Is the billing address same as the Operator Address? ☒ Yes, go to **Section C**. ☐ No, fill out **Section B**

1. Billing Mailing Address: Suite No./Bldg. No./Mail Code:

City: State: ZIP Code:

2. Country Mailing Information (if outside USA). Country Code: Postal Code:

3. Billing Contact (Attn or C/O):

Phone No.: () Extension:

5. Fax No.: () E-mail Address:

C. REGULATED ENTITY (RE) INFORMATION

1. Has the TCEQ issued a Regulated Entity Reference Number (RN) for the regulated MS4 ? Yes. What is the RN? RN (No) TCEQ will assign the RN number after the NOI is submitted.			
2. Name that is used to identify the small MS4 (Regulated Entity). (Example: City of XXX MS4) Lubbock County MS4			
3. Provide a brief description of the regulated MS4 boundaries: (Example: Area within the City of XXXX limits that is located within the xxx (e.g. Dallas) urbanized area.) Area outside the limits of the City of Lubbock and the City of Wolforth that is located within the Lubbock Urbanized Area			
4. a. What is the county where the largest residential population exists within the regulated MS4 boundaries? Lubbock			
b. Is the MS4 located within additional counties? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, what county(s)?			
5. What is the latitude and longitude of the approximate center of the regulated portion of the small MS4? Latitude: 33°35' N Longitude: 101°52' W			
6. What is the mailing address for the regulated entity? Is the RE mailing address the same as the Operator? <input checked="" type="checkbox"/> Yes, go to Section F. <input type="checkbox"/> No, provide the address.			
Street Number:		Street Name:	
City:	State:	ZIP Code:	

D. GENERAL CHARACTERISTICS

1. I certify that any portion of the regulated MS4 is not located on Indian Country Lands. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, you must obtain authorization through EPA, Region VI.	
2. What is the Standard Industrial Classification (SIC) code (see instructions for common codes): 9111	
3. Has TCEQ "designated" the small MS4 as needing coverage under this general permit? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

*If "No" and no portion of the Small MS4 is located within an Urbanized Area as determined by the 2000 Decennial Census by the U.S. Bureau of Census requiring a NOI be submitted, the operator is not eligible for coverage under this general permit through the NOI.

4. Storm Water Management Program (SWMP)	
a. I certify that the SWMP submitted with this Notice of Intent has been developed according to the provisions of this general permit TXR040000. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
b. I certify that the SWMP Cover Sheet is completed and attached to the front of the SWMP. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If No to question a. or b. the application is considered incomplete and may be returned.	
b. Who is the person responsible for implementing or coordinating implementation of the SWMP? (Note: All contact information requested below is required.)	

Name: Nick Olenik	Title: Director of Public Works	Company: Lubbock County
Address: 916 Broadway	Suite No./Bldg. No./Mail Code: Suite 431	
City: Lubbock	State: Texas	ZIP Code: 79408
Phone No.: (806) 775-1337	Extension:	
Fax No.: (806) 775-1521	E-mail Address: nolenik@co.lubbock.tx.us	

5. Seventh Minimum Control Measure (MCM) for Municipal Construction Activities	
a. Is the Minimum Control Measure for authorization to discharge storm water from municipal construction activities included with the attached SWMP? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
b. If you answered "Yes" to 5.a., what are the boundaries within which those activities will occur?	

Note: If the boundaries are located outside of the urbanized area, then the entire SWMP must also incorporate the additional areas.

c. Is the discharge or potential discharge from regulated construction activities within the Recharge Zone, Contributing Zone, or Contributing zone within the Transition zone of the Edwards Aquifer? ☐ Yes ☒ No

If the answer is "Yes", please note that a copy of the agency approved Plan required by the Edwards Aquifer Rule (30 TAC Chapter 213) must be either included or referenced in the construction storm water pollution prevention plan(s).

6. Discharge Information

a. What is the name of the receiving water body(s) from the MS4?

Brazos River

b. What is the classified segment(s) that receives discharges, directly or indirectly, from the small MS4?

North Fork Double Mountain Fork

c. Are any of the surface water bodies receiving discharges from the small MS4 on the latest EPA-approved CWA § 303(d) list of impaired waters? ☐ Yes ☒ No

If Yes, what is the name of the impaired water body(s) receiving the discharges from the small MS4?

d. Is the discharge into any other MS4 prior to discharge into surface water in the state? ☒ Yes ☐ No

If Yes, what is the name of the MS4 Operator? City of Lubbock, City of Wolfforth

7. Edwards Aquifer

Is the discharge or potential discharge from the MS4 within the Recharge Zone, Contributing Zone, or Contributing Zone within the Transition Zone of the Edwards Aquifer? ☐ Yes ☒ No

If the answer is Yes, please note that a copy of the agency approved Plan required by the Edwards Aquifer Rule (30 TAC Chapter 213) for activities also regulated under this general permit must be either included or referenced in the SWMP.

8. Public Participation Process

The Office of Chief Clerk will send the operator or person responsible for publishing notice, the notice of the executive director's preliminary determination of the NOI and SWMP, for publishing in a newspaper of largest circulation in the county where the small MS4 is located. If multiple counties, notice must be published at least once in the newspaper of largest circulation in the county containing the largest resident population.

The applicant must file with the Chief Clerk a copy of an affidavit of the publication within 60 days of receiving the written instructions from the Office of Chief Clerk.

a. I will comply with the Public Participation requirements described in Part II.D.12 of the general permit. ☒ Yes ☐ No
If No, coverage under this general permit is not obtainable.

b. Who is the person responsible for publishing notice of the executive director's preliminary determination on the NOI and SWMP? (Note: All contact information requested below is required.)

Name: Mande Reeves Title: Office Administrator Company: Lubbock County

Address: P.O. Box 10536 Suite No./Bldg. No./Mail Code:

City: Lubbock State: Texas Zip Code: 79408-3536

Phone No.: (806) 775-1000

Extension:

Fax No.: (806) 775-1550

E-mail Address: mnreeves@co.lubbock.tx.us

c. What is the name and location of the public location where copies of the NOI and SWMP, as well as the executive director's general permit and fact sheet, may be viewed?

Name of Public Place: County Commissioners Office

Address of Public Place: Lubbock County Courthouse
904 Broadway
Lubbock, Texas 79408

County of Public Place: Lubbock

E. CERTIFICATION

Check "Yes" to the certifications below. **Failure to indicate "Yes" to ALL items** may result in denial of coverage under the general permit.

I certify that I have obtained a copy and understand the terms and conditions of the general permit TXR040000.	<input checked="" type="checkbox"/> Yes
I certify that the small MS4 qualifies for coverage under the general permit TXR040000.	<input checked="" type="checkbox"/> Yes
I understand that a Notice of Termination (NOT) must be submitted when this authorization is no longer needed.	<input checked="" type="checkbox"/> Yes
I understand that permits active on September 1st of each year will be assessed an Annual Water Quality Fee.	<input checked="" type="checkbox"/> Yes

Operator Certification:

I, Thomas V. Head

Typed or printed name

County Judge

Title

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 gather and evaluate 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 there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

I further certify that I am authorized under **30 Texas Administrative Code §305.44** to sign and submit this document, and can provide documentation in proof of such authorization upon request.

Signature: _____

Thomas V. Head

(Use blue ink)

Date: _____

1-28-08



MEMO

TO: Nick Olenik, Lubbock County
FROM: Steve Bennett, P.E.
SUBJECT: Lubbock County SWMP
DATE: November 20, 2008

PSC Job No:

Below are my comments in response to the e-mail from Gordon Cooper (TCEQ) to you dated _____ regarding the Lubbock County SWMP. These responses apply to all the EPA-defined "urbanized areas" based on the 2000 Census.

Item #1, MCM1: Public Education and Outreach

Comment: Please provide additional information as to how visitors and construction site personnel will know about or to check the website for storm water information.

Response: As described in BMP 1.1 (PSAs and Press Releases), Lubbock County will pursue an inter-local agreement with the City of Lubbock to co-author PSAs and press releases. It is through the production and distribution of information that visitors and construction site personnel will be informed.

Item #2, MCM 3: Illicit Discharge Detection and Elimination

Comment: Please provide additional information about how the SWMP addresses appropriate actions and enforcement procedures for removing the source of an illicit discharge, to the extent allowed by state and local law.

Response: BMP 3.4 of the Lubbock County SWMP provides for the inspection of identified or suspected sources of illicit connection. The BMP 3.5 provides for the continuation of enforcement of existing ordinances. Lubbock County will review its existing ordinances to ensure that illicit discharges are removed to the extent allowed by state and local law.

Item#3, MCM 4: Construction Site Storm Water Runoff Control

Comment: Please provide information that will confirm that Lubbock County will be addressing the required elements for construction activities at sites 1 acre and larger including construction activities at sites that are part of a larger common plan of development.

Response: Lubbock County will review its existing ordinances to ensure that it incorporates the appropriate storm water runoff erosion measures to address the reduction of stormwater discharges from construction activity disturbing greater than to equal to 1 acre, including projects less than 1 acre that is part of a larger common plan of development. If the existing ordinances are found to be lacking, Lubbock County will pass resolutions to address the shortcomings.

Item#4, MCM 4: Construction Site Storm Water Runoff Control

Comment: Please provide information as to how sanctions/enforcement will be carried out by the county, for qualifying construction activities, to the extent allowed by state and local law.

Response: Lubbock County will review its existing ordinances to ensure that sanctions/enforcement activities are provided, defined and carried out for qualifying activities. If the existing ordinances are found to be lacking, Lubbock County will pass resolutions addressing the shortcomings.

Item#5, MCM 4: Construction Site Storm Water Runoff Control

Comment: Please provide additional information about how the SWMP addresses (1) procedures for site plan review to consider water quality impacts, in this MCM (4), and (2) procedures for the receipt and consideration of input from the public in relation to storm water runoff from construction activity.

Response: (1) Lubbock County will pursue inter-local agreements with the City of Lubbock and the City of Wolfforth to address the review of plans within the extra-territorial jurisdictions (ETJs) with respect to considering water quality impacts. Site plan reviews are required for sites within the cities' ETJs. The City of Lubbock's ETJ extends 5 miles from the city limits, while the City of Wolfforth's ETJ extends ½ mile beyond its city limits. The "urbanized areas" of Lubbock County are totally within the cities' ETJs. Lubbock County will develop and implement County Standard Erosion and Sediment Control Plan. (2) The county will accept input from the public in relation to storm water runoff from construction activity. Contact information will be provided in PSAs and press releases.

Item #6, MCM 5: Post-Construction Storm Water Management for New Development and Redevelopment

Comment: Please provide information that will confirm that Lubbock County will be addressing the required elements for new/re-development activities at sites of 1 acre and larger including new/re-development activities at sites that are part of a larger common plan of development.

Response: Lubbock County will develop and implement County Standard Erosion and Sediment Control Plan addressing the required elements for new/re-development activities at sites of 1 acre and larger including those sites that a part of a common plan of development of 1 acre and larger.

Item #7, MCM 6: Pollution Prevention / Good Housekeeping Measures for Municipal Operations

Comment: Please provide additional information that will identify any industrial activities owned by the county that require TPDES permits. (i.e. – TXR050000-MSGP permit)

Response: Lubbock County does not have any industrial activities that require TPDES permit located within the urbanized areas as defined by EPA based on the 2000 Census.

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