

1. THE CONTRACTOR AND SUB-CONTRACTORS WORKING ON THIS SITE SHALL THOROUGHLY REVIEW AND UNDERSTAND THE APPLICABLE REGULATIONS UNDER SECTION 402 OF THE CLEAN WATER ACT AND CHAPTER 26 OF THE TEXAS WATER CODE REGARDING GENERAL PERMIT PROVISIONS TO DISCHARGE WASTE UNDER TPDES CONSTRUCTION GENERAL PERMIT NO. TXR150000 ISSUED AND EFFECTIVE MARCH 5, 2003 BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY. REGULATIONS, PERMIT FORMS AND SUPPORT INFORMATION CAN BE OBTAINED BY CONTACTING THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) STORM WATER PROGRAM AT (512)239-4671 OR "STORM WATER" ON THE TCEQ WEB SITE AT [www.tceq.state.tx.us](http://www.tceq.state.tx.us).

2. SITE OPERATORS:

BY DEFINITION AN OPERATOR IS THE PERSON OR PERSONS ASSOCIATED WITH A LARGE OR SMALL CONSTRUCTION ACTIVITY THAT MEETS EITHER OF THE FOLLOWING CRITERIA:

- A. THE PERSON OR PERSONS HAVE OPERATIONAL CONTROL OVER CONSTRUCTION PLANS AND SPECIFICATIONS TO THE EXTENT NECESSARY TO MEET THE REQUIREMENTS AND CONDITIONS OF THE TPDES GENERAL PERMIT, OR
- B. THE PERSON OR PERSONS HAVE DAY-TO-DAY OPERATIONAL CONTROL OF THOSE ACTIVITIES AT A CONSTRUCTION SITE WHICH ARE NECESSARY TO ENSURE COMPLIANCE WITH A STORM WATER POLLUTION PREVENTION PLAN FOR THE SITE OR OTHER PERMIT CONDITIONS (E.G. THEY ARE AUTHORIZED TO DIRECT WORKERS AT A SITE TO CARRY OUT ACTIVITIES REQUIRED BY THE SWP3 OR COMPLY WITH OTHER PERMIT CONDITIONS).

(SIGNATURE)	(SIGNATURE)
OWNER OPERATOR IN CONTROL OF PLANS & SITE SPECIFICATIONS CHUCK TODD, P.E. CITY ENGINEER CITY OF ROCKWALL 385 SOUTH GOLIAD ROCKWALL, TEXAS 75087 972-771-7746	CONTRACTOR OPERATOR IN CONTROL OF DAY-TO-DAY ACTIVITIES NAME & TITLE COMPANY NAME ADDRESS PHONE

THE SWP3 SHALL BE SIGNED BY ALL SITE OPERATORS IN COMPLIANCE WITH TXR150000 PART III.A.1.

3. RESPONSIBILITIES OF ALL SITE OPERATORS:

EACH OPERATOR MUST:

- A. SIGN THE SWP3 PLAN SHEETS IN THE LOCATIONS PROVIDED. SIGNATORIES MUST MEET THE REQUIREMENTS AS SET FORTH IN 30 TEXAS ADMINISTRATIVE CODE 305.44.
- B. FOR SMALL CONSTRUCTION SITES WITH ONE TO LESS THAN FIVE ACRES OF DISTURBANCE, COMPLETE AND CERTIFY A CONSTRUCTION SITE NOTICE FOR SMALL CONSTRUCTION SITES. A COPY OF THE CONSTRUCTION SITE NOTICE MAY BE FOUND IN THE CONTRACT DOCUMENTS. A COPY OF THE SIGNED AND CERTIFIED CONSTRUCTION SITE NOTICE MUST BE POSTED IN A LOCATION WHERE IT IS READILY AVAILABLE FOR VIEWING BY THE GENERAL PUBLIC, LOCAL, STATE, AND FEDERAL AUTHORITIES PRIOR TO COMMENCING CONSTRUCTION ACTIVITIES, AND MAINTAINED IN THAT LOCATION UNTIL COMPLETION OF THE CONSTRUCTION ACTIVITY. A COPY OF THE SIGNED AND CERTIFIED CONSTRUCTION SITE NOTICE MUST ALSO BE PROVIDED TO THE OPERATOR OF ANY MS4 RECEIVING THE DISCHARGE AT LEAST TWO DAYS PRIOR TO COMMENCEMENT OF CONSTRUCTION ACTIVITIES.
- C. FOR LARGE CONSTRUCTION SITES WITH FIVE OR MORE ACRES OF DISTURBANCE, COMPLETE A CONSTRUCTION SITE NOTICE FOR LARGE CONSTRUCTION SITES. A COPY OF THE CONSTRUCTION SITE NOTICE MAY BE FOUND IN THE CONTRACT DOCUMENTS. EACH OPERATOR MUST SUBMIT A NOTICE OF INTENT (N.O.I.) TO THE TCEQ USING THE FORM PROVIDED BY THE EXECUTIVE DIRECTOR, AT LEAST TWO DAYS PRIOR TO COMMENCING CONSTRUCTION ACTIVITIES. A COPY OF THE SIGNED N.O.I. MUST BE POSTED ALONG WITH THE CONSTRUCTION SITE NOTICE IN A LOCATION WHERE IT IS READILY AVAILABLE FOR VIEWING PRIOR TO COMMENCING CONSTRUCTION ACTIVITIES, AND MAINTAIN THE NOTICE IN THAT LOCATION UNTIL COMPLETION OF THE CONSTRUCTION ACTIVITY. A COPY OF THE CONSTRUCTION SITE NOTICE AND SIGNED N.O.I. MUST ALSO BE PROVIDED TO THE OPERATOR OF ANY MS4 RECEIVING THE DISCHARGE AT LEAST TWO DAYS PRIOR TO COMMENCEMENT OF CONSTRUCTION ACTIVITIES. IF THE OPERATOR CHANGES, OR AN ADDITIONAL OPERATOR IS ADDED AFTER THE INITIAL N.O.I. IS SUBMITTED, THE NEW OPERATOR MUST SUBMIT AN NOI AT LEAST TWO DAYS PRIOR TO ASSUMING OPERATIONAL CONTROL.
- D. DELEGATE AUTHORITY TO THE SPECIFICALLY DESCRIBED POSITION OR PERSON PERFORMING INSPECTIONS, AS PROVIDED BY 30 TAC 305.128, AS AN AUTHORIZED PERSON FOR SIGNING REPORTS AND PERFORMING CERTAIN ACTIVITIES REQUESTED BY THE DIRECTOR OR REQUIRED BY THE TPDES GENERAL PERMIT. THIS DELEGATION OF AUTHORITY MUST BE PROVIDED TO THE DIRECTOR OF TCEQ IN WRITING AND A COPY SHALL BE KEPT ALONG WITH THE SIGNED EFFECTIVE COPY OF THE SWP3. AN EXAMPLE DELEGATION LETTER IS PROVIDED IN THE CONTRACT DOCUMENTS.
- E. RETAIN THE FOLLOWING RECORDS FOR A MINIMUM OF THREE YEARS FROM THE DATE THAT AN N.O.T. IS SUBMITTED. ON SMALL PROJECT SITES WHERE AN N.O.T. IS NOT REQUIRED, RECORDS SHALL BE KEPT FOR A PERIOD OF AT LEAST THREE YEARS FROM THE DATE OF FINAL STABILIZATION OR CHANGE OF OPERATOR.
  - 1. A COPY OF THE SWP3 PLAN.
  - 2. ALL REPORTS AND ACTIONS REQUIRED BY THE TPDES GENERAL PERMIT, INCLUDING A COPY OF THE CONSTRUCTION SITE NOTICE.
  - 3. ALL DATA USED TO COMPLETE THE N.O.I., IF AN N.O.I. IS REQUIRED.

4. RESPONSIBILITIES OF THE OWNER (OPERATOR IN CONTROL OF PLANS & SITE SPECIFICATIONS):

- A. ENSURE THE PROJECT SPECIFICATIONS ALLOW OR PROVIDE THAT ADEQUATE BMPs MAY BE DEVELOPED TO MEET THE REQUIREMENTS OF PART III OF THE TPDES GENERAL PERMIT.
- B. ENSURE THAT THE SWP3 INDICATES THE AREAS OF THE PROJECT WHERE THEY HAVE OPERATIONAL CONTROL.
- C. ENSURE ALL OTHER OPERATORS AFFECTED BY MODIFICATIONS IN PROJECT SPECIFICATIONS ARE NOTIFIED IN A TIMELY MANNER SUCH THAT THOSE OPERATORS MAY MODIFY BMPs AS ARE NECESSARY TO REMAIN COMPLIANT WITH THE CONDITIONS OF THE TPDES GENERAL PERMIT.
- D. ENSURE THAT THE SWP3 FOR PORTIONS OF THE PROJECT WHERE THEY ARE OPERATORS INDICATES THE NAME AND TPDES PERMIT NUMBERS FOR PERMITTEES WITH THE DAY-TO-DAY OPERATIONAL CONTROL OVER THOSE ACTIVITIES NECESSARY TO ENSURE COMPLIANCE WITH THE SWP3 AND OTHER PERMIT CONDITIONS. IN THE CASE THAT RESPONSIBLE PARTIES HAVE NOT BEEN IDENTIFIED, THE PERMITTEE WITH OPERATIONAL CONTROL OVER PROJECT SPECIFICATIONS MUST BE CONSIDERED TO BE THE RESPONSIBLE PARTY UNTIL SUCH TIME AS THE AUTHORITY IS TRANSFERRED TO ANOTHER PARTY AND THE PLAN IS UPDATED.

5. RESPONSIBILITIES OF THE CONTRACTOR (OPERATOR IN CONTROL OF DAY-TO-DAY ACTIVITIES):

- A. PREPARE A STANDARD THREE RING NOTEBOOK ENTITLED "SWP3 PLAN FOR PAVING, DRAINAGE AND WATER IMPROVEMENTS TO SERVE S.H. 205 BYPASS, ROCKWALL, TEXAS" TO KEEP TOGETHER THE EFFECTIVE SIGNED COPY OF THE SWP3 AND ALL RELATED DOCUMENTS. THE NOTEBOOK SHALL CONTAIN THE FOLLOWING:
  - 1. PLAN SHEETS INCLUDING, BUT NOT LIMITED TO, SIGNED COPY OF SWP3 NOTES (E001 THROUGH E004), SIGNED COPY SWP3 LAYOUT PLAN (E101), SWP3 DETAILS (E201 AND E202), AND EROSION CONTROL PLANS (E102 AND E103).
  - 2. COPY OF TPDES GENERAL PERMIT TXR150000.
  - 3. COPY OF A SIGNED N.O.I. FOR EACH OPERATOR, IF AN N.O.I. IS REQUIRED.
  - 4. COPY OF A SIGNED CONSTRUCTION SITE NOTICE FOR EACH OPERATOR.
  - 5. INSPECTION REPORTS.
  - 6. COPY OF A SIGNED DELEGATION LETTER FROM EACH OPERATOR.
  - 7. ALL UPDATES REQUIRED IN ITEM F. BELOW.
  - 8. ALL WORKSHEETS COMPLETED AND UPDATED AS REQUIRED IN ITEMS K THROUGH O BELOW.
- B. AFTER AN N.O.T. IS SUBMITTED, OR ON SMALL PROJECT SITES WHERE AN N.O.T. IS NOT REQUIRED, AFTER FINAL STABILIZATION OR CHANGE OF OPERATOR, THE CONTRACTOR SHALL FORWARD ALL ORIGINALS TO THE OWNER, BUT SHALL MAINTAIN A COPY FOR THEIR RECORDS AS STIPULATED IN 3.D. ABOVE.
- C. IMPLEMENT THE SWP3 MEASURES PRIOR TO COMMENCING CONSTRUCTION ACTIVITIES THAT RESULT IN SOIL DISTURBANCE AT ANY TIME DURING THE PROJECT DURATION UNTIL RE-VEGETATION HAS OCCURRED.
- D. RETAIN THE SWP3 NOTEBOOK ON-SITE AT THE CONSTRUCTION SITE OR, IF THE SITE IS INACTIVE OR DOES NOT HAVE AN ON-SITE LOCATION TO STORE THE PLAN, A NOTICE MUST BE POSTED DESCRIBING THE LOCATION OF THE SWP3.
- E. MAKE THE SWP3 NOTEBOOK READILY AVAILABLE AT THE TIME OF AN ON-SITE INSPECTION TO: THE EXECUTIVE DIRECTOR, A FEDERAL, STATE, OR LOCAL AGENCY APPROVING SEDIMENT AND EROSION PLANS, GRADING PLANS, OR STORM WATER MANAGEMENT PLANS, LOCAL GOVERNMENT OFFICIALS, AND THE OPERATOR OF A MS4 RECEIVING DISCHARGES FROM THE SITE.
- F. KEEP CURRENT AND UPDATE THE SWP3 AS NECESSARY FOR THE FOLLOWING CONDITIONS:
  - 1. NEW OPERATORS OR AREAS OF RESPONSIBILITY.
  - 2. CHANGES IN BEST MANAGEMENT PRACTICES.
  - 3. CHANGES IN THE DESIGN, CONSTRUCTION, OPERATION, OR MAINTENANCE THAT HAS A SIGNIFICANT EFFECT ON THE DISCHARGE OF POLLUTANTS AND THAT HAS NOT BEEN PREVIOUSLY ADDRESSED BY THE SWP3.
  - 4. RESULTS OF INSPECTIONS OR INVESTIGATIONS BY SITE OPERATORS, OPERATORS OF A MS4 RECEIVING THE DISCHARGE, AUTHORIZED TCEQ PERSONNEL, OR A FEDERAL, STATE, OR LOCAL AGENCY APPROVING SEDIMENT AND EROSION PLANS INDICATE THE SWP3 IS PROVING INEFFECTIVE IN ELIMINATING OR SIGNIFICANTLY MINIMIZING POLLUTANTS IN DISCHARGES AUTHORIZED UNDER THE TPDES GENERAL PERMIT.
  - 5. CHANGES APPLICABLE TO PROTECTING SURFACE WATER RESOURCES IN SEDIMENT EROSION SITE PLANS OR SITE PERMITS, OR STORM WATER MANAGEMENT SITE PLANS OR SITE PERMITS APPROVED BY STATE OR LOCAL OFFICIAL FOR WHICH THE PERMITTEE RECEIVES WRITTEN NOTICE.
- G. ENSURE THAT THE SWP3 FOR PORTIONS OF THE PROJECT WHERE THEY ARE OPERATORS MEETS THE REQUIREMENTS OF THE TPDES GENERAL PERMIT AND ARE CONSISTENT WITH REQUIREMENTS SPECIFIED IN APPLICABLE SEDIMENT AND EROSION SITE PLANS OR SITE PERMITS, OR STORM WATER MANAGEMENT SITE PLANS OR SITE PERMITS APPROVED BY FEDERAL, STATE, OR LOCAL OFFICIALS.
- H. ENSURE THAT THE SWP3 IDENTIFIES THE PARTIES RESPONSIBLE FOR IMPLEMENTATION OF BMPs DESCRIBED IN THE PLAN.
- I. ENSURE THAT THE SWP3 INDICATES THE AREAS OF THE PROJECT WHERE THEY HAVE OPERATIONAL CONTROL.
- J. ENSURE THAT THE SWP3 FOR PORTIONS OF THE PROJECT WHERE THEY ARE OPERATORS INDICATES THE NAME AND TPDES PERMIT NUMBERS FOR PERMITTEES WITH THE DAY-TO-DAY OPERATIONAL CONTROL OVER THOSE ACTIVITIES NECESSARY TO ENSURE COMPLIANCE WITH THE SWP3 AND OTHER PERMIT CONDITIONS.
- K. MAINTAIN ALONG WITH THE EFFECTIVE COPY OF SWP3 DRAWINGS AN UPDATEABLE LIST OF ALL CONSTRUCTION AND WASTE MATERIALS TO BE STORED ON-SITE, AND A DESCRIPTION OF THE LOCATION. A WORKSHEET IS PROVIDED IN THE PLANS.

- L. MAINTAIN ALONG WITH THE SIGNED EFFECTIVE COPY OF SWP3 DRAWINGS AN UPDATEABLE LIST IDENTIFYING ALL POTENTIAL SOURCES OF POLLUTION INCLUDING PORTA-POTTYS, FUEL TANKS, STAGING AREAS, WASTE CONTAINERS, CHEMICAL STORAGE AREAS, CONCRETE CURE, PAINTS SOLVENTS, ETC., AND A DESCRIPTION OF THE LOCATION. A WORKSHEET IS PROVIDED IN THE PLANS.
- M. MAINTAIN ALONG WITH THE SIGNED EFFECTIVE COPY OF SWP3 DRAWINGS AN UPDATEABLE LIST IDENTIFYING GOOD HOUSEKEEPING PRACTICES IMPLEMENTED TO LIMIT THE OFF-SITE TRANSPORT OF LITTER, CONSTRUCTION DEBRIS, AND CONSTRUCTION MATERIALS, AND A DESCRIPTION OF THE LOCATION. A WORKSHEET IS PROVIDED IN THE PLANS.
- N. MAINTAIN ALONG WITH THE SIGNED EFFECTIVE COPY OF SWP3 DRAWINGS AN UPDATEABLE LIST IDENTIFYING ALL ELIGIBLE NON-STORM WATER DISCHARGES AND ENSURE THE IMPLEMENTATION OF APPROPRIATE POLLUTION PREVENTION MEASURES. A WORKSHEET IS PROVIDED IN THE PLANS.
- O. MAINTAIN ALONG WITH THE SIGNED EFFECTIVE COPY OF THE SWP3 A RECORD OF THE DATES OF MAJOR GRADING ACTIVITIES, THE DATES CONSTRUCTION IS TEMPORARILY OR PERMANENTLY CEASED, AND THE DATES STABILIZATION MEASURES ARE INITIATED. A WORKSHEET IS PROVIDED IN THE PLANS.

6. BATCH PLANT PERMITS:

THIS SWP3 DOES NOT ADDRESS PERMITTING OF ON-SITE OR OFF-SITE BATCH PLANTS. THE SWP3 MAY INDICATE LOCATIONS WHERE BATCH PLANTS CAN BE SET UP ON THE SITE APPROVED BY THE OWNER, BUT THE CONTRACTOR SHALL OBTAIN HIS OWN SEPARATE PERMITS THROUGH THE TCEQ. CONSTRUCTION SITE OPERATORS SHOULD ALSO BE AWARE OF TEXAS 401 CERTIFICATION SPECIAL PERMIT CONDITIONS CONTAINED IN THE EPA REGION 6 CGP. THESE SPECIAL PERMIT CONDITIONS ADDRESS SPECIAL NUMERIC LIMITATIONS FOR DISCHARGES FROM READY-MIXED CONCRETE PLANTS (ALSO FOUND IN VOLUME 63 OF THE FEDERAL REGISTER ON PAGE 36511). THE CONTRACTOR SHALL FORWARD A COPY OF THE PERMIT, SWP3 PLANS, AND ANY REVISIONS OF SAME TO THE OWNER'S ENGINEER OR PROJECT MANAGER WITHIN 48 HOURS OF RECEIPT OF PERMITS OR REVISIONS TO SWP3 PLANS. PERMITTING FOR BATCH PLANT SITES SHALL BE INCIDENTAL WORK AT NO EXTRA COST TO THE OWNER. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO ACT AS OPERATOR AND ASSURE FULL COMPLIANCE WITH THE BATCH PLANT SITE.

7. RELATED OFF-SITE ACTIVITIES:

IF THE CONTRACTOR ELECTS TO CREATE NEW OFF-SITE MATERIAL STORAGE AREAS, STOCKPILES OF DIRT/TOPSOIL, BORROW AREAS, VEHICLE REPAIR AREAS, FUELING AREAS, ETC. CREATED SOLELY FOR OR BY THE PERMITTED PROJECT, THESE SITES SHALL COMPLY WITH TCEQ REGULATIONS FOR STORM WATER POLLUTION PREVENTION. THE CONTRACTOR AT NO ADDITIONAL COST TO THE OWNER SHALL PROVIDE DOCUMENTATION TO THE OWNER OR THE OWNER'S PROJECT REPRESENTATIVE THAT THE OFFSITE ACTIVITIES ARE PERMITTED IF REQUIRED BY TCEQ REGULATIONS. VERIFICATION OF PROPER OFF-SITE PERMITTING BY THE CONTRACTOR MUST BE PROVIDED AT LEAST 48 HOURS IN ADVANCE OF THE CONTRACTOR INCORPORATING THE SITE INTO SERVICE FOR THE SUBJECT PROJECT.

8. SIGN & NOTICE POSTINGS:

ALL SITE OPERATORS SHALL CERTIFY AND POST A CONSTRUCTION SITE NOTICE IN COMPLIANCE WITH PART II.D.2 AND PART II.D.3 OF THE TPDES GENERAL PERMIT NUMBER TXR150000.

ON SMALL PROJECT SITES WITH ONE TO LESS THAN FIVE ACRES OF DISTURBANCE, THE CONTRACTOR MUST POST CERTIFIED CONSTRUCTION SITE NOTICE(S) IN A LOCATION WHERE IT IS READILY AVAILABLE FOR VIEWING BY THE GENERAL PUBLIC, LOCAL, STATE, AND FEDERAL AUTHORITIES, PRIOR TO COMMENCING CONSTRUCTION ACTIVITIES, AND MAINTAIN THE NOTICE IN THAT LOCATION UNTIL COMPLETION OF THE CONSTRUCTION ACTIVITY. IF THERE IS NO LOCATION TO STORE THE SWP3 AT THE SITE, THE CONSTRUCTION SITE NOTICE MUST IDENTIFY THE LOCATION WHERE A SWP3 CAN BE READILY OBTAINED FOR VIEWING ALONG WITH CONTACT INFORMATION.

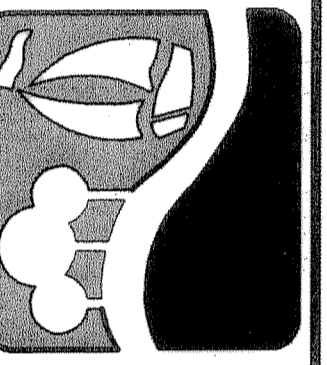
ON LARGE PROJECT SITES WITH 5 OR MORE ACRES OF DISTURBANCE, THE CONSTRUCTION SITE NOTICE(S) AND N.O.I.(S) MUST BE POSTED IN A LOCATION WHERE IT IS READILY AVAILABLE FOR VIEWING NEAR THE MAIN ENTRANCE OF THE CONSTRUCTION SITE PRIOR TO COMMENCING CONSTRUCTION ACTIVITIES, AND MAINTAIN THE NOTICE IN THAT LOCATION UNTIL COMPLETION OF THE CONSTRUCTION ACTIVITY. THE CONSTRUCTION SITE NOTICE SHALL CONTAIN THE INFORMATION BELOW:

- (A) TPDES GENERAL PERMIT NUMBER FOR THE PROJECT OR A COPY OF THE N.O.I. IF A PERMIT NUMBER HAS NOT YET BEEN ASSIGNED.
- (B) NAME AND TELEPHONE NUMBER OF A REPRESENTATIVE FOR THE OPERATOR.
- (C) BRIEF DESCRIPTION OF THE PROJECT.
- (D) LOCATION OF THE SWP3 ON OR OFF-SITE.

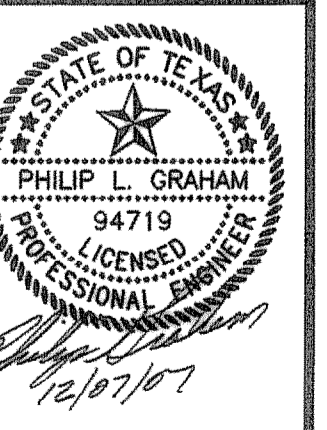
LINEAR CONSTRUCTION SITES SHALL POST CONSTRUCTION SITE NOTICE IN A PUBLICLY ACCESSIBLE LOCATION NEAR WHERE CONSTRUCTION IS ACTIVELY UNDERWAY. NOTICE FOR THESE LINEAR SITES MAY BE RELOCATED, AS NECESSARY, ALONG THE LENGTH OF THE PROJECT. THE NOTICE MUST BE READILY AVAILABLE FOR VIEWING BY THE GENERAL PUBLIC, LOCAL, STATE, AND FEDERAL AUTHORITIES, AND CONTAIN ALL INFORMATION REQUIRED ABOVE.

RECORD PLANS  
AUGUST 29, 2008

PREPARED BY:  
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PHASE II S.H. 205 BYPASS  
FROM S.H. 276 TO INTERSTATE 30  
SWP3 - STORM WATER  
POLLUTION PREVENTION NOTES



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