Phase II (Small) MS4 Annual Report Form

TPDES General Permit Number TXR040000

A. General Information

Authorization Number: TXR040646

Reporting Year (year will be either 1, 2, 3, 4, or 5):___4___

Annual Reporting Year Option Selected by MS4:

　　Calendar Year:_____

　　Permit Year:_____

　　Fiscal Year: _____x_____   Last day of fiscal year: (_September 30_____)

Reporting period beginning date: (month/date/year) _October 1, 2021_____

Reporting period end date: (month/date/year) _September 30, 2022_____

MS4 Operator Level: ____2____   Name of MS4:___Midland County____

Contact Name: _Andrew Avis, Director of Public Works_

Telephone Number: _432 688-4505_____

Mailing Address: _500 N. Loraine St, Suite 1100_____

E-mail Address: __aavis@mcounty.com_____

A copy of the annual report was submitted to the TCEQ Region: YES___

Region the annual report was submitted to: TCEQ Region _7_____

B. Status of Compliance with the MS4 GP and SWMP

1. Provide information on the status of complying with permit conditions: (TXR040000 Part IV.B.2)

	Yes	No	Explain
Permittee is currently in compliance with the SWMP as submitted to and approved by the TCEQ.	Y		
Permittee is currently in compliance with recordkeeping and reporting requirements.	Y		
Permittee meets the eligibility requirements of the permit (e.g., TMDL requirements, Edwards Aquifer limitations, compliance history, etc.).	Y		
Permittee conducted an annual review of its SWMP in conjunction with preparation of the annual report	Y		

2. Provide a general assessment of the appropriateness of the selected BMPs. You may use the table below to meet this requirement (**see Example 1 in instructions**):

MCM(s)	BMP	BMP is appropriate for reducing the discharge of pollutants in stormwater (Answer Yes or No and explain)
1.1	Web Site Educational Material	Yes, materials address local issues.
1.2	SWMP and Annual Report	Yes, information informs the public.
1.3	No Impaired Water Verification	Yes, verifies no new BMP's needed.
1.4	Public Reporting	Yes, key to effective enforcement.

1.5	Electronics Recycling	Yes, the project removes substantial materials that otherwise might be illegally dumped.
2.1	MS4 Mapping	Yes, provides locations to look for pollutants.
2.2	Enforcement Authority	Yes, assists staff in deciding how to handle certain discharges.
2.3	IDDE Training	Yes, informs County staff.
2.4	Investigation of Illicit Discharges	Yes, the County Environment Enforcement office addresses numerous issues with illicit dumping.
2.5	Removing Sources of Illicit Discharges	Yes, reduces pollution.
3.1	Construction SW Program Regulatory	Yes, verifies the limits of County authority and what can be done.
3.2	Construction Plan Review	Yes, where County has authority it provides a structure for reviews.
3.3	Construction Site Inspection over 1 ac	Yes, will reduce erosion at site where County has authority.
3.4	Construction Site Enforcement	Yes, will reduce erosion at site where County has authority.
3.5	Construction Site Staff Training	Yes, will result in better enforcement.
4.1	Development Review Regulations, Process	Yes, verifies extent of County authority.
4.2	Use Development Regulations	Yes, will improve stormwater quality on site where County has authority.
4.3	Maintenance of Private Structural Stormwater Controls	Yes, will assist County in assuring stormwater system function.

5.1	List County Facilities and Stormwater Controls	Yes, will assist staff in evaluating maintenance and function.
5.2	Good Housekeeping Training	Yes, will reduce pollutants at County facilities.
5.3	Contractor Oversight	Yes, will reduce pollutants at County facilities.
5.4	Update O&M Procedures	Yes, will identify areas of possible pollutant reductions.
5.5	Inspect Pollution Prevention Measures	Yes, will ensure these measures are functioning properly.
5.6	Maintenance of County Structural Stormwater Controls	Yes, will ensure these controls are functioning properly.

3. Describe progress towards achieving the goal of reducing the discharge of pollutants to the MEP. If no progress was made or the BMP did not result in a reduction in pollutants, provide an explanation. Use the table below to meet this requirement (**see Example 2 in instructions**):

MCM	BMP	Information Used	Quantity	Units	Does the BMP Demonstrate a Direct Reduction in Pollutants? (Answer Yes or No and explain)
1	1.1 Web Site Educational Material	Write-ups on illegal dumping	1	Website	No, but indirectly education should reduce the illegal dumping.
1	1.2 SWMP and Annual Report	Website	1	Posting	No, but it informs the public so has indirect benefits.

1	1.3 No Impaired Water Verification	TCEQ information	1	Report	No, but it informs Midland County Staff.
1	1.4 Public Reporting	Website	1	Posting	Yes, because the County will respond to all reported pollution.
1	1.5 Electronics Recycling	Keep Midland Beautiful records	1 27,251 18,000 5560 3000 286 620 6231	Event Lb Electronic Lb shred docs Lb appliances Lb tires Lb plastic Lb paper Lb cardboard.	Yes, items collected are of the type that is often illegally dumped: Electronics, Documents, Tires, Plastic, Paper, Cardboard
2	2.1 MS4 Mapping	Stormwater Program Records	1	Map (no need to update 2021-2022)	No, this map informs County staff but does not directly reduce pollution.
2	2.2 Enforcement Authority				This element completed FY 2018-2019
2	2.3 IDDE Training	Training Records	4	Employees trained (supervisors and 1 Horseshoe maintenance employee)	No, but training informs and empowers employees to address pollution.

2	2.4 Investigation of Illicit Discharges	Environmental Enforcement Tracking spreadsheet	57	Investigations Started	Yes, each action represents removal of illegally dumped materials or other response
2	2.5 Removing Sources of Illicit Discharges	Environmental Enforcement Tracking spreadsheet	56	Investigations Completed (53 cleaned up, 3 not pollutants)	Yes, each action represents removal of illegally dumped materials or other response.
3	3.1 Construction Site Stormwater Program Regulatory Authority	Stormwater Program Records	0	Revisions completed to program FY 2020-2021	Yes, revised regulations should result in reduced erosion.
3	3.2 Construction Plan Review	Review Records from Director of Public Work	6 3 2	Sets, Midland Co Road Sets, Bldg Sets, Subdiv Sets.	Yes, review ensures all plans contain erosion control page.
3	3.3 Construction Site Inspection over 1 ac	Inspection records	2250	Inspections of County-owned roads	Yes, oversight should encourage contractor best practices.
3	3.4 Construction Site Enforcement	Inspection Records	Weekly, as needed	Speed of Enforcements on County-owned projects	Yes, inspections may find deficiencies which are fixed.

4	4.1 Development Review Regulations and Process	Stormwater Program Records	0	Legal authority review/changes completed in 2019/2020.	Yes, new regulations should reduce stormwater pollution.
4	4.2 Use Development Regulations	Subdivision Review Records from Director of Public Work	19 30	Subdivisions, non ETJ, by County Subdivisions, ETJ, review by cities	Yes, structural stormwater controls are required for some subdivisions.
4	4.3 Maintenance of Private Structural Stormwater Controls	Stormwater Program Records	0	Plats using / needing easement language outside ETJ	No, but appropriate maintenance requirements improve drainage function.
5	5.1 List County Facilities and Stormwater Controls	Stormwater Program Records	0	List completed FY 2018-2019	No, but having a list will make tracking inspections easier.
5	5.2 Good Housekeeping Training	Stormwater Program Records	4	Employees trained (supervisors and 1 Horseshoe maintenance employee)	Yes, presenting this training should improve employee housekeeping.
5	5.3 Contractor Oversight	Stormwater Program Records	0	Task completed FY 2020-2021	No, contract language will allow enforcement, but impact is indirect.

5	5.4 Update O&M Procedures	Stormwater Program Records	1	SOP for Cold Weather Operations drafted, not finalized	No, benefit is indirect in establishing good practices.
5	5.5 Inspect Pollution Prevention Measures	Stormwater Program Records	1	Inspection of County facility to evaluate BMPs	No, but inspections may reveal issues that will then be corrected.
5	5.6 Maintenance of County Structural Stormwater Controls	Stormwater Program Records	1	Activities completed early in 2019-2020.	No, but inspections may reveal issues that will then be corrected.

4. Provide the measurable goals for each of the MCMs, and an evaluation of the success of the implementation of the measurable goals (**see Example 3 in instructions**):

MCM(s)	Measurable Goal(s)	Explain progress toward goal or how goal was achieved. If goal was not accomplished, please explain.
1.1 Site Educational Material	Update web site with new materials if applicable.	Met. Web site contains all information required.
1.2 SWMP and Annual Report	Post annual report on web site <30 days after due date	Met. Annual report posting verified 9/22/22.

1.3 No Impaired Water Verification	Check TCEQ 305(b) and 303(d) list	Met. List has not changed for this watershed.
1.4 Public Reporting	Update contact point if needed	Met. Web page has contact form and phone number.
1.5 Electronics Recycling	Sponsor KMB Electronics Recycling Program	Met. An event was held 11/13/2021.
2.1 MS4 Mapping	Update map(s) as needed	Met. Map did not need to be revised because outfalls and urbanized areas have not changed.
2.2 Enforcement Authority	No activity scheduled for FY 2021-2022.	All activities completed in 2019.
2.3 IDDE Training	Train field staff that may find illicit discharges, including IDDE procedures.	Met. Trained 3 staff members from 3 departments who supervise others, plus maintenance representative for event center.
2.4 Investigation of Illicit Discharges	Use standard procedures to investigate illicit discharges	Met. Investigations were made, increased number from prior year due to better self-reporting of issues.
2.5 Removing Sources of Illicit Discharges	Enforce regulations that address illicit discharges, where possible, including leaking OSSF's. If County lacks enforcement authority, refer to TCEQ.	Met. Continued to implement.

3.1 Construction Stormwater Regulatory Authority	No activities scheduled for 2021-2022.	All activities completed in earlier FY.
3.2 Construction Plan Review	Use new construction plan review process.	Met. Plans were reviewed per revised procedures.
3.3 Construction Site Inspection over 1 ac	Inspect Construction Sites and keep records of inspections.	Met. Records kept per updated process.
3.4 Construction Site Enforcement	Enforce as possible or report to TCEQ, including public input. Record actions.	Met. Inspections made on County road projects.
3.5 Construction Site Staff Training	No activities scheduled for FY 202	There are no staff whose main duties are to regulate construction.
4.1 Development Review Regulations and Process	Revise development regulations if needed and possible.	Met early, completed early in 2019-2020.
4.2 Use Development Regulations	Use current review and enforcement procedures.	Met. 19 subdivisions were reviewed by the County and approved by the Court, plus 3 plats in ETJ reviewed for City approval. No drainage easements have needed enforcement actions.

4.3 Maintenance of Private Structural Stormwater Controls	Obtain easements for private SW BMPs, with language that complies with permit.	Met. No ETJ plats approved by County had drainage easements requiring this language.
5.1 List County Facilities and Stormwater Controls	Update inventory.	Met. No new facilities identified, so list is unchanged.
5.2 Good Housekeeping Training	No activities scheduled for 2020-2021.	Exceeded. Refresher training for supervisors of 3 departments during Sept 2022, plus site specific training of one maintenance staff member at the Horseshoe event center.
5.3 Contractor Oversight	Enforce contract language that requires contractors to comply with all regulations.	Met. County's contractors are required to comply with regulations including stormwater.
5.4 Update O&M Procedures	Write current O&M procedures (for cold weather operations), including waste disposal, and evaluate them for pollutant generation	Met. Procedures written. Need to evaluate and revise 2022/2023.
5.5 Inspect Pollution Prevention Measures	Inspect per SOP frequency	Met. Inspections of active vehicle washing bays made, plus inspection of Horseshoe event center to identify other pollution prevention measures.

5.6 Maintenance of County Structural Stormwater Controls	Inspect all structural stormwater controls and report on effectiveness	Met early, completed in 2019-2020.

C. Stormwater Data Summary

Provide a summary of all information used, including any lab results (if sampling was conducted) to assess the success of the SWMP at reducing the discharge of pollutants to the MEP. For example, did the MS4 conduct visual inspections, clean the inlets, look for illicit discharge, clean streets, look for flow during dry weather, etc.?

The work of Midland County staff and contractors, including the Director of Public Work, a team of Environmental Investigators, the Road and Bridge staff, and a consultant overseeing County-owned roadway construction results in substantial reduction of pollutants found in the County MS4 and on County facilities. Information on stormwater pollution and quality is observed through the following activities:

Environment Enforcement initiated 28 and completed 23 investigations of dumped materials that might impact stormwater quality if unabated. In each case the violating materials were removed. Investigators locate some pollutants through their own inspections, and also respond to public complaints.

Midland County has a significant program of roadway reconstruction and paving, with construction inspection overseen by a consultant. The county had six roadway construction project in the reporting period, receiving daily site visits for a total of 2250 visits, and the presence or lack of required erosion control measures were documented in status reports. During bi-weekly construction status meetings or in periodic discussion with contractors there were opportunities to direct the contractor to install and remedy their erosion control measures.

Midland County Road and Bridge inspects, mows and maintains County ROW on a year-round continual basis. This department bears a great deal of the responsibility for the MS4, which consists mainly of roadside ditches. Three individuals drive the County roadways on a daily basis. While performing maintenance activities, the department cleans out excess sediment from ditches and drainage structures, and on occasion finds dumped materials. If the dumper cannot be identified, the Road and Bridge staff remove and properly dispose of the materials at the City of Midland landfill.

Midland County operates several facilities, and all are inspected and maintained frequently, removing trash and sediment that might be mobilized into stormwater pollution at the next rainfall.

D. Impaired Waterbodies

1. Identify whether an impaired water within the permitted area was added to the latest EPA-approved 303(d) list or the Texas Integrated Report of Surface Water Quality for CWA Sections 305(b) and 303(d). List any newly-identified impaired waters below by including the name of the water body and the cause of impairment.

   There are no new impaired water bodies affecting Midland County.

2. If applicable, explain below any activities taken to address the discharge to impaired waterbodies, including any sampling results and a summary of the small MS4's BMPs used to address the pollutant of concern.

   N/A

3. Describe the implementation of targeted controls if the small MS4 discharges to an impaired water body with an approved TMDL.

   N/A

4. Report the benchmark identified by the MS4 and assessment activities:

Benchmark Parameter (Ex: Total Suspended Solids)	Benchmark Value	Description of additional sampling or other assessment activities	Year(s) conducted
N/A			

5. Provide an analysis of how the selected BMPs will be effective in contributing to achieving the benchmark:

Benchmark Parameter	Selected BMP	Contribution to achieving Benchmark
N/A		

6. If applicable, report on focused BMPs to address impairment for bacteria:

Description of bacteria-focused BMP	Comments/Discussion
N/A	

7. Assess the progress to determine BMP's effectiveness in achieving the benchmark.

For example, the MS4 may use the following benchmark indicators:

- number of sources identified or eliminated;
- number of illegal dumpings;
- increase in illegal dumping reported;
- number of educational opportunities conducted;
- reductions in sanitary sewer flows (SSOs); /or
- increase in illegal discharge detection through dry screening.

Benchmark Indicator	Description/Comments
N/A	

E. Stormwater Activities

Describe activities planned for the next reporting year:

MCM(s)	BMP	Stormwater Activity	Description/Comments
1.1	Update web site with new materials if applicable.	Print copy of page showing information available	Web site is complete but new information can be added if desired.
1.2	Post annual report on web site <30 days after due date	Print copy of page showing availability	SWMP has not been approved by TCEQ yet, so the draft is currently on the web site. Repost if revised during review.
1.3	Check TCEQ 305(b) and 303(d) list	Copy of pages from TCEQ website list.	Keep copy of pages from TCEQ website list.
1.4	Update contact point if needed	Print web page if revised	Unlikely to change.
1.5	Sponsor KMB Electronics Recycling Program	Print KMB web page showing sponsorship	Electronics recycling program is an annual drop-off that reduces illegal dumping of toxic electronics.
2.1	Update map(s) as needed, especially if new census changes urbanized areas.	Copy of revised map(s) if applicable	New urbanized area maps are expected this year so maps will change.

2.2	No activities scheduled		
2.3	Train field staff that may find illicit discharges. Include IDDE procedures.	Keep sign-in sheets and record training info in training log.	Staff to be trained to be selected by County departments.
2.4	Use standard procedures to investigate illicit discharges	Total number of investigations for annual report	County has established investigation procedures. Only expected change is possible new tracking software.
2.5	Enforce regulations that address illicit discharges, where possible, including leaking OSSF's. If County lacks enforcement authority, refer to TCEQ.	Total number of cases resolved for annual report	County is removing illicit discharges, mainly through the Environmental Enforcement office.
3.1			
3.2	Use new construction plan review process, if applicable.	Write memo stating procedures are still in place, or noting changes.	Plan review process was revised in 2019-20 and changes documented 2020-21.

3.3	Inspect Construction Sites and keep records of inspections.	Document number of construction inspections.	Construction inspection process was revised in 2019-20 and changes documented 2020-21.
3.4	Enforce as possible or report to TCEQ, including public input. Record actions.	Document number of enforcement actions taken	Construction site enforcement process was revised in 2019-20. Tracking procedures are in place.
3.5	Train staff with duties related to construction stormwater	Keep training sign-in sheets or other proof of training.	
4.1	Train staff and implement new process.	Training records. Memo stating new process is in place.	This milestone was completed early in 2019-20. Unless regulations are revised, no action is needed.
4.2	Use revised (if applicable) review and enforcement procedures	Record number of developments reviewed and number of enforcements taken.	Review and enforcement procedures are in place.
4.3	Obtain easements for private SW BMPs, with language that complies with permit.	Keep samples of compliant easements on plats and as separate instruments.	Easements for private stormwater basins and channels will be required.

5.1	Update inventory	Copy of list.	Will verify if any new County-owned facilities or stormwater controls exist.
5.2	Train employees implementing pollution prevention and good housekeeping	Keep copy of training materials and attendance log	
5.3	Enforce contract language that requires contractors to comply with all regulations	Memo stating enforcement is ongoing and listing examples if applicable	Terms and conditions for standard contracts were updated in 2019-20.
5.4	Implement revised procedures	Memo showing extent that new procedures have been implemented.	Procedures must be reviewed by applicable departments.
5.5	Inspect per SOP frequency	Keep log of inspections	Vehicle wash bays (two) are Pollution Prevention Measures at County Facilities identified. Horseshoe facility has other Pollution Prevention Measures.
5.6	Perform any needed maintenance on structural stormwater controls	Copy of work orders, PO's or other proof of maintenance	No County-owned structural stormwater controls have been identified. It would not be possible to develop SOPs for their maintenance. If SSCs are created/identified later, then SOPs can be created for them.

F. SWMP Modifications

1. The SWMP and MCM implementation procedures are reviewed each year.

    __x__Yes_____No

2. 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__x__No

If "Yes," report on changes made to measurable goals and BMPs:

MCM(s)	Measurable Goal(s) or BMP(s)	Implemented or Proposed Changes (Submit NOC as needed)

Note: If changes include additions or substitutions of BMPs, include a written analysis explaining why the original BMP is ineffective or not feasible, and why the replacement BMP is expected to achieve the goals of the original BMP.

3. Explain additional changes or proposed changes not previously mentioned (i.e. dates, contacts, procedures, annexation of land, etc.).

    N/A

G. Additional BMPs for TMDLs and I-Plans

Provide a description and schedule for implementation of additional BMPs that may be necessary, based on monitoring results, to ensure compliance with applicable TMDLs and implementation plans.

BMP	Description	Implementation Schedule (start date, etc.)	Status/Completion Date (completed, in progress, not started)
N/A			

H. Additional Information

1. Is the permittee relying on another entity to satisfy any permit obligations?

    ___ Yes _x_ No

    If "Yes," provide the name(s) of other entities and an explanation of their responsibilities (add more spaces or pages if needed).

Name and Explanation:

2.a. Is the permittee part of a group sharing a SWMP with other entities?

___ Yes _x_ No

2.b. If "yes," is this a system-wide annual report including information for all permittees?

___ Yes ___ No

If "Yes," list all associated authorization numbers, permittee names, and SWMP responsibilities of each member (add additional spaces or pages if needed):

Authorization Number: _____   Permittee:_____

I. Construction Activities

1. The number of construction activities that occurred in the jurisdictional area of the MS4 (Large and Small Site Notices submitted by construction site operators):

    20 (Midland County does not receive all site notices, nor do they have a permitting requirement. This number computed as Midland County roadway projects, plus an estimate of the number of new subdivision projects of about half of all plats in and out of the ETJ)

2a. Does the permittee utilize the optional seventh MCM related to construction?

   _____ Yes _x_ No

2b. If "yes," then provide the following information for this permit year:

| The number of municipal construction activities authorized under this general permit	
The total number of acres disturbed for municipal construction projects	*N/A*

Note: *Though the seventh MCM is optional, implementation must be requested on the NOI or on a NOC and approved by the TCEQ.*

J. Certification

If this is this a system-wide annual report including information for all permittees, each permittee shall sign and certify the annual report in accordance with 30 TAC §305.128 (relating to Signatories to Reports).

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): ___Terry Johnson___   Title: ___County Judge___
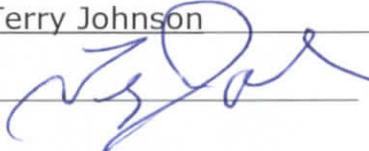
Signature: _____   Date: __12-13-22__

Name of MS4 ___Midland County___

If you have questions on how to fill out this form or about the Stormwater Permitting program, please contact us at 512-239-4671.

Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, contact us at 512-239-3282.