

# MIDLAND COUNTY, TEXAS

## STORM WATER MANAGEMENT PLAN

### 1.0 EXECUTIVE SUMMARY

Midland County is subject to regulation by the Texas Commission on Environmental Quality (TCEQ) under the Texas Pollutant Discharge Elimination System (TPDES) General Permit No. TXR040000. This permit authorizes storm water discharges from small municipal separate storm sewer systems (MS4s) into surface waters of the state of Texas. The intent of the permit is to protect water quality by reducing pollutants such as sediment and chemicals that enter storm water runoff. The current general permit runs from January 1, 2025 – December 31, 2029.

Each time TCEQ issues a new general permit for storm water, Midland County is required to adopt and implement a storm water management plan (SWMP) for the urbanized portions of the county. The SWMP must address Minimum Control Measures (MCM's) by adopting Best Management Practices (BMPs) intended to achieve the regulatory standard of reducing pollutants in the County's storm water to the "maximum extent practicable."

Existing Midland County storm water programs and activities designed to protect the County's water quality has been supplemented with new BMP activities during the 2025-2029 permit term as required by the new general permit. Measurable goals and an implementation schedule are included for each of the BMPs in the SWMP.

BMPs, measurable goals, and the implementation schedule were selected based upon their ability to meet specific permit requirements and to reduce pollutants in the County's storm water to the maximum extent practicable. They were also selected based upon a general assessment of BMP effectiveness, applicability to Midland County, and costs associated with implementation of the BMPs. The effectiveness of the selected BMPs, and success in achieving the selected measurable goals will be reviewed annually.

## 2.0 REGULATORY AND PROGRAMMATIC ELEMENTS

### 2.1 Permit Applicability and Coverage

Midland County (the County) is eligible for coverage under Texas Pollutant Discharge Elimination System (TPDES) General Permit TXR040000 (General Permit) to discharge storm water runoff from the urbanized portions of its small municipal separate storm sewer system (MS4). The coverage of the permit is limited to those areas that are located within the urbanized areas but not located within the city limits of the Cities of Midland or Odessa.

The regulated portion of the small MS4 operated by Midland County is defined as the Urbanized Area by the U.S. Census Bureau in 2020.

### 2.2 Small MS4 Category

TCEQ has differing requirements for MS4 operators based on the population in the urbanized area. MS4s operated by counties, regardless of population, are classified by TCEQ as Level 2 MS4s. This category has the same requirements as cities with urbanized populations of 10,000 – 40,000. The permit refers to counties, along with universities, various districts, TxDOT, and others that own MS4s but are not cities as “non-traditional small MS4s”.

### 2.3 Regulatory Authority

TCEQ recognizes that counties do not have the same regulatory authority as cities, since the state constitution and statutes do not allow counties to enact ordinances, nor gives the same enforcement authority that cities have. The general permit has language recognizing these limitations, summarized as follows:

- The County must at a minimum enforce the permit requirements on its own operations and for any entity which it can control, such as employees and contractors.
- The County is encouraged to enter into interlocal agreements with adjacent municipalities to meet the general permit requirements.
- The County should report discharges or incidents that it cannot enforce to TCEQ.

Midland County has adopted the following court orders which provide authority for implementing the SWMP:

- Adoption of Texas Water Code Chapter 26 (Water Quality Control) and Texas Health and Safety Code Chapter 382. (Clean Air Act) (2018)  
MCMs affected: 3. The County adopted these sections of Texas Law in order to create an environmental enforcement division under the District Attorney’s supervision, employing Texas Peace Officers to enforce the State’s public health laws. This arrangement has been successful in resolving pollution incidents that could affect stormwater quality.
- Midland County Subdivision Regulations (1992, with latest revision 2024)  
MCMs affected: 4, 5. These regulations apply to subdivisions that require County approval by state law and are used for review outside the ETJs of Midland and Odessa.

They also allow review of subdivision road and drainage construction drawings by County staff. They include drainage requirements that will have stormwater quality benefits, including erosion control on embankments at certain locations.

- **Interlocal Agreement with City of Midland (2022)**  
MCMs affected: 3, 4, 5. Midland County has an interlocal agreement with the City of Midland that provides some regulation of storm water runoff in the ETJ and satisfies or assists in some MS4 permit requirements. Relevant provisions include:
  - permitting on-site sewage facilities (septic systems)
  - inspection and permitting of food service establishments
  - permitting swimming pools
  - makes the City of Midland sole authority on regulating subdivisions within the extra-territorial jurisdiction (ETJ)
  - states the City of Midland will provide a Hazardous Material Response Team
- **Interlocal Agreement with City of Odessa (2004)**  
MCMs affected: 4, 5. Midland County has an interlocal agreement with the City of Odessa, which provides some regulation of storm water runoff in the ETJ and satisfies or assists in some MS4 permit requirements. Relevant provisions include:
  - makes the City of Odessa sole authority on regulating subdivisions within the extra-territorial jurisdiction (ETJ)
  - provides for subdivision plats in the Odessa ETJ to be reviewed by both Midland County Road and Bridge and Odessa Director of Public Works

As per the General Permit, the County will notify the TCEQ's Field Operations Division as needed to report discharges or incidents that it cannot enforce against.

BMPs 3.5, 5.2 and 5.3 in this Storm Water Management Plan contain an action plan for assessing the County's enforcement authority related to this program.

## **2.4 Participating Entities**

Implementation of Midland County's SWMP relies on an interlocal agreement with the City of Midland for permitting and inspection of OSSF's, through an existing inter-local agreement. The City of Midland Fire Department also responds to hazardous material spills outside City limits.

The Cities of Odessa and Midland exercise their authority to review proposed subdivision plats within the ETJ's of those cities. No inter-local agreement is required for these reviews. However, enforcement of local ordinances within the ETJ's enhances the goal of reducing pollutants to the MS4.

TCEQ is relied on for enforcement actions that the County is not allowed to undertake.

Midland County participated in the storm water advisory committee of the City of Midland in 2002-2003. The City of Midland formed a Storm Water Advisory Committee at that time to provide guidance in the selection of BMPs appropriate for this region and the development of Midland's SWMP. Midland County provided a representative to that committee to coordinate between the municipalities and to educate the county on possible BMPs.

## **2.5 Allowable Non-Stormwater Discharges**

Midland County, through this storm water management plan, adopts by reference the list of Allowable Non-Stormwater Discharges in the TXR040000 general permit, Part II, Section D.

## **2.6 Additional Requirements for Discharges to Certain Waters**

There are extra SWMP requirements if the MS4 in question drains to a surface water that has an approved Total Maximum Daily Load (TMDL), which limits pollutant discharges to already polluted waters.

Midland County discharges to draws that eventually reach Segment 1412B of Beal's Creek, an impaired stream in Big Spring, which does not have an approved TMDL. Thus, the County's MS4 discharges to an impaired body, but not directly to it. General Permit Part III.B.2.(b) specifies the extra SWMP requirements are for discharges directly to the impaired water. This excludes Midland County from any TMDL additional requirements.

Midland County is required to annually verify whether the EPA list of impaired water has been expanded to include any waters within the County's permitted urbanized area. This is to be done in conjunction with the annual report.

There are additional requirements for MS4s that discharge to the Edwards Aquifer Recharge Zone, but these do not apply to Midland County.

## **2.7 SWMP Program Administration**

The Best Management Practices included in this Storm Water Management Plan are implemented through multiple departments. Key positions for this program include the website administrator in the IT department, the County Commissioners' staff, Environmental Enforcement (under the District Attorney's office), the Road and Bridge Department, the Fire Marshal/Emergency Management office, and the County Attorney.

Overall program administration and reporting are currently the responsibility of Precinct 2 Commissioner Jeff Somers.

## **2.8 Development and Review Process for SWMP**

Midland County had coverage under a previous version of the TPDES Small MS4 General Permit, developed in 2007-2008. For that SWMP, the BMPs, measurable goals, implementation schedule, and first SWMP were developed with input from County Staff, the City of Midland's Storm Water Advisory Committee, upon which the County participated, and review by the County Commissioners.

For the current permit term, meetings with County Staff culminated in the development of a Draft Storm Water Management Plan for the County. Review and comment will be provided by the Midland County Commissioner's Court.

## 2.9 Annual Requirements

There are several required activities in the general permit that must be implemented on an annual basis.

- Annual Report. TCEQ regularly updates the format of this report and publishes a new version on their stormwater web page. The County will submit a concise annual report for previous permit year 2024 by April 11, 2025. All subsequent annual reports will be submitted by March 31<sup>st</sup> of each year in the permit term for the previous calendar year.
  - The annual report states the County's progress toward the selected Measurable Goals for each of the BMPs described in the following section.
  - The annual report is required to note whether any impaired waters within the urbanized areas of Midland County have been added.
    - Impaired water bodies will be referenced against the latest approved EPA List or the Texas Integrated Report of Surface Water Quality.
  - The report has a section in which the County lists the stormwater activities to be performed in the following fiscal year.
  - The annual report must be signed by the County Judge in conformance with 30 TAC 305.44.
- Each year the County is required on the annual report to note whether the BMPs in the SWMP are "appropriate".
  - If the County decides that a selected Best Management Practice is unworkable or ineffective, it can choose a better one that meets the same objective.
  - This means that the SWMP will be changed. Generally, the table of BMPs with schedule is the only part of the SWMP that would need revision.
- Notice of Change. If the County decides to change the Stormwater Management Plan, it may require a Notice of Change form to be submitted to the TCEQ.
  - Like the annual report, the latest form should be obtained from the TCEQ stormwater web page.
  - The Notice of Change form can be submitted with the annual report or at any time of year.
  - Some changes also require public notice. See permit page 23.
  - Beginning December 21, 2020, all Notice of Change forms must be submitted on the TCEQ website instead of by paper.

### 3.0 STORM WATER MANAGEMENT PLAN SPECIFICS

Midland County developed this storm water management plan (SWMP) in accordance with TPDES general permit requirements for obtaining authorization for storm water discharges and certain non-storm water discharges. The SWMP will facilitate the County's efforts in reducing storm water pollutants from their MS4 to the maximum extent practicable, as required by the permit.

The SWMP describes specific actions that will be taken over a five-year period to reduce pollutants and protect the County's storm water quality.

The TPDES General Permit requirements contain six Minimum Control Measures (MCM's) and one optional MCM. The minimum control measures are:

1. Public Education and Outreach
2. Public Involvement and Participation
3. Illicit Discharge Detection and Elimination (IDDE)
4. Construction Site Stormwater Runoff Control
5. Post-Construction Stormwater Management in New Development and Redevelopment
6. Pollution Prevention and Good Housekeeping for Municipal Operations
7. Industrial Stormwater Sources (*does not apply to Midland County*)
8. (Optional) Authorization for Construction Activities where the Small MS4 is the Site Operator (*not selected by Midland County*)

Within each of the required MCM's, there are multiple requirements for the County, but the County has flexibility in how the requirements can be met. The County has chosen activities called Best Management Practices (BMPs) to meet each of the requirements in the general permit. Each of these BMPs has Measurable Goals that have been developed to provide a mechanism for judging the success of the County's SWMP toward reaching the goal of protecting the County's water quality and reducing pollutants to the maximum extent practicable.

To the greatest extent possible, the BMPs and measurable goals were selected to take credit for existing on-going programs that serve the County not just to protect storm water quality but also advance other County interests. Required new activities were chosen based on their predicted effectiveness at meeting permit requirements, appropriateness for this region and county, and estimated cost.

As provided under the General Permit, the County will continue existing activities throughout the five-year term and will implement required new BMPs of the SWMP over that period. Accordingly, a reasonable progression of measurable goals was developed for each of the selected BMPs. The goals were selected with a consideration toward developing a logical progression of implementation, assessing the ability to measure and track progress, and working within budgetary constraints.

Specific requirements of each MCM are provided below. Following each listing of MCM requirements, a table is provided that lists its selected BMPs, measurable goals, and documentation needed to verify the goal has been accomplished.

### 3.1 MCM 1: Public Education and Outreach

Summary: The permit requires Midland County to maintain a comprehensive stormwater education and outreach program to educate public employees, businesses, and the general public of hazards associated with the illegal discharges and improper disposal of waste as well as the steps that the public can take to reduce pollutants in stormwater.

General Permit References: Part IV, Section D.1, pages 36-40.

2025-2029 Midland County Specific Requirements for this MCM:

- Consider a target audience of residents of the portions of Midland County covered by the SWMP.
- The SWMP and all annual reports are to be included on the County web site.
- Small MS4s shall choose at least one of the specific pollutants and sources in Table 3.1 to be targeted in the educational program.
  - Table 3.1 Includes the following pollutants and Sources:
    - Grass clippings and leaf litter
    - Fertilizer and pesticides
    - Litter, trash containment, balloon releases
    - Dumping of solid waste
    - Illegal disposal of household hazardous waste
    - Pet waste
    - Failing septic systems
    - Swimming pool discharge, including saltwater pools
    - De-icing/rock salt usage/storage
    - Oil, grease, fluids from vehicles
    - Sediment runoff from construction activities
    - Unauthorized discharge of restaurant waste
    - Vehicle washing
    -
- Select four BMPs from a list in the TPDS Permit. This SWMP is based on the selection of:
  - Maintain a webpage with current and accurate information and working links.
  - Develop and maintain permanent stormwater related signage.
  - Publish articles in local newspaper or newsletter.
  - Make social media posts at least four times a year on at least one platform.

Description of Midland County Selected BMPs and Measurable Goals for this MCM:

- Maintain a webpage with current and accurate information and working links. (BMP 1.1)
  - Information Technology website administrator will be responsible for adding these items to the web site.
    - All links shall be checked, and the pages shall be updated as necessary at a minimum of once annually.
    - The website will be maintained for the duration of the permit term.
  - SWMP will be posted no later than 30 days after the NOIC or NOC approval date.

- SWMP calls for No Impaired Water Verification to be included with the annual report.
- The SWMP and all annual reports are to be included on the County web site. (BMP 1.1)
- Post a minimum of four times each year on at least one social media platform. (BMP 1.2)
  - The message will address ways attendees can minimize or avoid adverse stormwater impacts or practices to improve the quality of stormwater runoff.
  - The message will be seasonally appropriate.
    - Messages will target a specific pollutant or source of pollution from Table 3.1.
  - Posts will be made at least once quarterly on Midland County’s social media page and will remain visible to attendees for a full year, each term year.
- Develop and maintain permanent stormwater signage. (BMP 1.3)
  - Signage will be placed where the message is relevant and highly visible to target audiences.
    - Midland County currently has stormwater signage posted at Midland Draw.
    - Existing signage will be inspected for relevance and visibility.
  - Signage will be inspected and maintained at least once annually.
    - A memo explaining any maintenance performed will be logged for each inspection.
- Publish articles in local newspaper or newsletter. (BMP 1.4)
  - Article topics will be group specific and address activities or pollutants of concern from Table 3.1 at a seasonally appropriate time.
  - Two articles will be published annually in the local newspaper, either in print or online version.
    - Articles will be archived and kept for the permit term.
- Midland County can coordinate with other groups to credit the required educational outreach activities, IF the County assists with planning or distribution of materials; coordinating volunteers; contributing supplies, material, tools or equipment or providing financial support for the activity.

## Stormwater Management Plan - Best Management Practices and Measurable Goals

### Public Education and Outreach

MCM.B MP #	Regulatory Reference	BMP/Activity	Deadline December 31, 2025		Deadline December 31, 2026		Deadline December 31, 2027		Deadline December 31, 2028		Deadline December 31, 2029	
			Measurable Goal	BMP Milestone								
1.1	II.D.1(a)(3)a	Information on the MS4 operator's website	Update website with SWMP revisions, annual reports and other info if needed	Verify webpage exists, links work and correct info is posted. Print page	Update website with SWMP revisions, annual reports and other info if needed	Verify webpage exists, links work and correct info is posted. Print page	Update website with SWMP revisions, annual reports and other info if needed	Verify webpage exists, links work and correct info is posted. Print page	Update website with SWMP revisions, annual reports and other info if needed	Verify webpage exists, links work and correct info is posted. Print page	Update website with SWMP revisions, annual reports and other info if needed	Verify webpage exists, links work and correct info is posted. Print page
1.2	II.D.1(a)(1)	Social media posts, social media campaign	Post a seasonally appropriate message relating to practices to improve the quality of stormwater runoff on 1 social media platform quarterly	Print quarterly website posts	Post a seasonally appropriate message relating to practices to improve the quality of stormwater runoff on 1 social media platform quarterly	Print quarterly website posts	Post a seasonally appropriate message relating to practices to improve the quality of stormwater runoff on 1 social media platform quarterly	Print quarterly website posts	Post a seasonally appropriate message relating to practices to improve the quality of stormwater runoff on 1 social media platform quarterly	Print quarterly website posts	Post a seasonally appropriate message relating to practices to improve the quality of stormwater runoff on 1 social media platform quarterly	Print quarterly website posts
1.3	II.D.1(a)(1)	Permanent stormwater related signage	Place signage in a location where the message is relevant, and highly visible to target audience	Memo stating location of stormwater signage	Inspect and maintain signage	Memo explaining any maintenance performed	Inspect and maintain signage	Memo explaining any maintenance performed	Inspect and maintain signage	Memo explaining any maintenance performed	Inspect and maintain signage	Memo explaining any maintenance performed
1.4	II.D.1(a)(1)	Publish articles in local newspaper or newsletter	Develop and publish 2 seasonally appropriate articles on topics in Table 3.1	Copy of articles	Develop and publish 2 seasonally appropriate articles on topics in Table 3.1	Copy of articles	Develop and publish 2 seasonally appropriate articles on topics in Table 3.1	Copy of articles	Develop and publish 2 seasonally appropriate articles on topics in Table 3.1	Copy of articles	Develop and publish 2 seasonally appropriate articles on topics in Table 3.1	Copy of articles

## 3.2 MCM 2: Public Involvement and Participation

Summary: The permit requires Midland County to involve the public in planning and implementing activities related to the development of the SWMP. The County must create opportunities or support activities coordinated by citizens that demonstrate an impact on stormwater runoff by improving water quality.

General Permit References: Part IV, Section D.2, pages 40-42.

2025-2029 Midland County Specific Requirements for this MCM:

- Implement three BMPs from a list in the Permit. The SWMP is based on a choice of:
  - Host biannual clean up events coordinated by citizens.
  - Provide stormwater related speaker series once annually.
  - Support one annual habitat improvement event.

Description of Midland County Selected BMPs and Measurable Goals for this MCM:

- Host a biannual clean up event coordinated by citizens. (BMP 2.1)
  - At least one event will be held annually each year of the permit term.
    - Midland County will provide support for activities coordinated by citizen groups.
  - Events will create an opportunity for citizen participation in the program.
  - A minimum area will be cleaned or cleared in each event.
    - Minimums can be any combination totaling two acres of land, 400 yards of stream or 2 miles of roadside.
- Midland County will provide a stormwater related speaker series once annually. (BMP 2.2)
  - One stormwater related speaker session will be conducted annually.
    - Sessions will be live or via media such as radio, news programs or pre-recorded video.
  - The speakers may differ, and each session may be targeted to different audiences.
    - Audiences can include citizens, schools, youth groups, businesses, formal organizations, developers, industrial facilities or visitors.
- Midland County will support one habitat improvement event each year. (BMP 2.3)
  - The City of Midland hosts events for habitat improvement, such as tree planting and Earth Day planting events, that the County can support.
    - Midland County can support the event by advertising it on social media, assisting with planning or contributing supplies.
- Midland County can coordinate with other groups to credit the required public participation activities, IF the County assists with planning or distribution of materials; coordinating volunteers; contributing supplies; material, tools or equipment; providing space for the function; advertising the event; supplying disposal services; arranging land access; providing financial support for the activity or donating goods.

## Stormwater Management Plan - Best Management Practices and Measurable Goals

### Public Involvement and Participation

MCM.B MP #	Regulatory Reference	BMP/Activity	Deadline December 31, 2025		Deadline December 31, 2026		Deadline December 31, 2027		Deadline December 31, 2028		Deadline December 31, 2029	
			Measurable Goal	BMP Milestone								
<b>2.1</b>	II.D.1(a)(1)	Litter/Trash clean-up events	Host event	Records of Event participation								
<b>2.2</b>	II.D.1(a)(1)	Stormwater related speaker series	Provide a minimum of 1 session each year	List of Educational Presentation and date	Provide a minimum of 1 session each year	List of Educational Presentation and date	Provide a minimum of 1 session each year	List of Educational Presentation and date	Provide a minimum of 1 session each year	List of Educational Presentation and date	Provide a minimum of 1 session each year	List of Educational Presentation and date
<b>2.3</b>	II.D.1(a)(1)	Habitat Improvement	Support an event that improved local habitats	Records of Event support	Support an event that improved local habitats	Records of Event support	Support an event that improved local habitats	Records of Event support	Support an event that improved local habitats	Records of Event support	Support an event that improved local habitats	Records of Event support

### 3.3 MCM 3: Illicit Discharge Detection and Elimination (IDDE)

Summary: Develop, implement and enforce a program to detect, investigate, and eliminate illicit discharges into the small MS4. The program must include a plan to detect and address non-stormwater discharges, including illegal dumping to the MS4 system.

General Permit References: Part IV, Section D.3, pages 42-46.

2025-2029 Midland County Specific Requirements for this MCM:

The discharges into the street system, channels and ponds in Midland County urbanized areas (MS4) that are authorized under this permit include:

- Stormwater runoff

And the following Non-Stormwater flows:

- Water line flushing discharges, but not if hyper-chlorinated
- Runoff from irrigation
- Discharges from potable water sources that don't violate Texas Surface Water Quality Standards
- Diverted stream flows
- Rising ground waters and springs
- Uncontaminated ground water infiltration
- Uncontaminated pumped ground water
- Foundation and footing drains
- Air conditioning condensation
- Water from crawl space pumps
- Individual residential vehicle washing
- Flows from wetlands and riparian habitats
- De-chlorinated swimming pool discharges that don't violate Texas Surface Water Quality Standards
- Street wash water, but excluding street sweeper waste water
- Flow from emergency firefighting activities, not including washing of trucks, training activities, test water from fire suppression systems, etc.
- Other allowable non-stormwater discharges defined as those non-stormwater flows that have not been identified by Midland County or by TCEQ as a significant source of pollutants to the Midland County.

Any flow into the MS4 that is not on the list above is classified as an illicit discharge. Illicit discharges include illegal dumping, if it might contaminate stormwater runoff, or connections to the storm drain system or sanitary sewer.

The following is a list of items in the general permit that apply to Midland County under this MCM.

- Maintain an accurate MS4 map, including location of all outfalls and name of all surface waters receiving flow from the outfalls.
- Conduct training for County field staff about illicit discharges
- Maintain and publicize a public reporting method for the public to report illicit discharges, illegal dumping and spills.
- Develop and maintain procedures for responding to spills, illegal dumping and illicit discharges (presumably on County facilities as well as on County ROW or private property).
- Investigate and trace the source of Illicit Discharges and Illegal Dumping.
- Corrective action will be taken to eliminate illicit discharges and illegal dumping.
- Review and update inspection procedures for investigating illicit discharge and illegal dumping
- Perform inspections in response to complaints and conduct follow-up inspections.
- Develop procedures to prevent and correct any leaking on-site sewage disposal systems in the MS4.

Description of Midland County Selected BMPs and Measurable Goals for this MCM:

- Maintain an accurate MS4 map, including location of all outfalls and name of all surface waters receiving flow from the outfalls. (BMP 3.1)
  - The usual interpretation of this regulation is that the regulated MS4 has a named surface water passing through it, and most points where a concentrated flow of water enters the stream are “outfalls”, to be mapped. However, there are no named surface waters in Midland County, as classified by TCEQ. The nearest named stream segment is 1214B, a portion of Beal’s Creek in Howard County near Big Spring. All portions of the urbanized areas in Midland County drain eventually to this segment via various draws that combine into Mustang Draw. This raises the question of how the County can comply with the mapping requirement.
  - Information received from TCEQ suggests that since there are no TCEQ-named streams in the Midland County, it is permissible for the County to treat locations where concentrated flow leaves the urbanized area as the only outfalls for the County’s regulated MS4.
  - For the 2024-2029 permit term, a map of outfalls as defined above must be reviewed and updated annually. Any features which have been added or removed will be updated in the MS4 map annually.
- Conduct training for County field staff about Illicit Discharges (BMP 3.2)
  - Training for all field staff will be conducted once annually.
    - Field staff currently includes Road & Bridge and Facilities departments.
    - Training logs will be maintained and made available for review by TCEQ.
  - Training materials can be developed in-house or obtained elsewhere and may be in person or self-paced.
  - County employees are typically trained by supervisors and insurance companies or subject matter experts.

- Maintain and publicize a public reporting method for the public to report illicit discharges, illegal dumping or water quality impacts associated with discharges. (BMP 3.3)
  - This requirement for BMP 3 is achieved on the web site as part of BMP 1.1
    - The contact will be updated immediately on the website if any changes are made.
    - The contact information will be publicized in a method designed to reach the majority of MS4 residents twice annually.
    - A tracking system will be created to estimate the percentage of the intended audience reached.
  
- Develop and maintain procedures for responding to spills, illegal dumping and illicit discharges (presumably on County facilities as well as on County ROW or private property). (BMP 3.4)
  - The County has procedures for responding to any illicit discharge on County facilities as well as on County ROW or private property.
    - Procedures are scheduled to be reevaluated annually.
  
- Investigate and trace the source of Illicit Discharges and Illegal Dumping. (BMP 3.5.1)
  - General permit detailed requirements:
    - Prioritize based on relative risk of pollution
    - Report any illicit flows to TCEQ if they are believed to be an immediate threat to human health or the environment.
    - Document each investigation, including date of observation, results of investigation, any follow-up to it, and date investigation was closed.
    - Identify the source if it is in the County's jurisdiction. If not notify the adjacent jurisdiction or TCEQ.
  - Midland County has several staff members who can investigate to determine the source of illicit discharges, depending on the type of discharge. These include Environmental Enforcement, Road and Bridge, and the Fire Marshal. The Midland Health Department can investigate OSSF related discharges.
  - Midland County will respond to all known illicit discharges and illegal dumping incidents and investigate sources.
  - High priority discharges, such as sanitary sewers will receive response within 24 hours. (BMP 3.5.2)
  
- Corrective action will be taken to eliminate illicit discharges and illegal dumping. (BMP 3.6)
  - Environmental Enforcement staff offer violators an opportunity to avoid fines and jail time by removing dumped materials, where possible.
  - Responsible parties identified as the source of illicit discharge or illegal dumping will be notified within 24 hours.
    - Responsible parties are required to perform all necessary corrective actions to eliminate the illicit discharge
  - Hazardous material spills are removed by a third-party contractor and the spiller is charged.
  - The SWMP calls for continuing the existing program for enforcement, which has been effective.

- TCEQ can be a resource for enforcement, especially on private property where there is no criminal offense, and the County has no rights to enter or enforce.
- Review and update inspection procedures for investigating illicit discharge and illegal dumping. (BMP 3.7)
  - Inspection procedures are documented and will be reviewed and updated as needed on an annual basis.
    - Procedures will include the basis for conducting inspections in response to complaints as well as conducting follow up inspections.
- Perform inspections in response to complaints and conduct follow-up inspections. (BMP 3.8)
  - Inspections will be conducted on all complaints following established procedures (BMP 3.8.1)
  - There is a more detailed follow-up inspection requirement for Level 3 and 4 cities, which requires a follow-up investigation of all illicit discharges that have been eliminated.
  - Since this follow-up investigation is only mentioned in reference to public complaints, it appears that the County is only required to conduct follow-up investigations after public complaints.
    - Follow-up inspections will be made to ensure corrective actions have been implemented by the responsible party. (BMP 3.8.2)

# Stormwater Management Plan - Best Management Practices and Measurable Goals

## Illicit Discharge Detection and Elimination

MCM. BMP #	Regulatory Reference	BMP/Activity	Deadline December 31, 2025		Deadline December 31, 2026		Deadline December 31, 2027		Deadline December 31, 2028		Deadline December 31, 2029	
			Measurable Goal	BMP Milestone								
3.1	IV.D.3.(c)(1)	Maintain a current and accurate MS4 map	Update city limits, urbanized area and non-overflow locations on map. Determine new outfall locations	Print GIS map to pdf	Update city limits, urbanized area and non-overflow locations on map. Determine new outfall locations	Print GIS map to pdf, if revised	Update city limits, urbanized area and non-overflow locations on map. Determine new outfall locations	Print GIS map to pdf, if revised	Update city limits, urbanized area and non-overflow locations on map. Determine new outfall locations	Print GIS map to pdf, if revised	Update city limits, urbanized area and non-overflow locations on map. Determine new outfall locations	Print GIS map to pdf, if revised
3.2	IV.D.3.(c)(2)	Conduct training for all permittee's field staff	Conduct annual training field staff- Road and Bridge & Facilities	Copy of training log and training information.	Conduct annual training field staff- Road and Bridge & Facilities	Copy of training log and training information.	Conduct annual training field staff- Road and Bridge & Facilities	Copy of training log and training information.	Conduct annual training field staff- Road and Bridge & Facilities	Copy of training log and training information.	Conduct annual training field staff- Road and Bridge & Facilities	Copy of training log and training information.
3.3	IV.D.3.(c)(3)	Provide and publicize public reporting contact	Verify contact point for public complaints and reports on website and publicize the contact twice annually	Print web page showing contact form and phone and proof of biannual publicity	Verify contact point for public complaints and reports on website and publicize the contact twice annually	Print web page showing contact form and phone and proof of biannual publicity	Verify contact point for public complaints and reports on website and publicize the contact twice annually	Print web page showing contact form and phone and proof of biannual publicity	Verify contact point for public complaints and reports on website and publicize the contact twice annually	Print web page showing contact form and phone and proof of biannual publicity	Verify contact point for public complaints and reports on website and publicize the contact twice annually	Print web page showing contact form and phone and proof of biannual publicity
3.4	IV.D.3.(c)(4)	Maintain procedures for responding to illicit discharges, illegal dumping and spills	Revise procedures, adding prioritization of discharges and any changed or improved process	Update illicit discharge response procedures document	Review and revise procedures if changed or improved	Memo explaining review and actions taken.	Review and revise procedures if changed or improved	Memo explaining review and actions taken.	Review and revise procedures if changed or improved	Memo explaining review and actions taken.	Review and revise procedures if changed or improved	Memo explaining review and actions taken.
3.5.1	IV.D.3.(c)(5)	Investigate source of illicit discharges and illegal dumping	Investigate sources of 100% of known illicit discharges and illegal dumping	Number of known illicit discharges and illegal dumping incidents and number of investigations opened to determine source	Investigate sources of 100% of known illicit discharges and illegal dumping	Number of known illicit discharges and illegal dumping incidents and number of investigations opened to determine source	Investigate sources of 100% of known illicit discharges and illegal dumping	Number of known illicit discharges and illegal dumping incidents and number of investigations opened to determine source	Investigate sources of 100% of known illicit discharges and illegal dumping	Number of known illicit discharges and illegal dumping incidents and number of investigations opened to determine source	Investigate sources of 100% of known illicit discharges and illegal dumping	Number of known illicit discharges and illegal dumping incidents and number of investigations opened to determine source
3.5.2	IV.D.3.(c)(5)	Respond to high priority discharges	Respond to 100% of high priority discharges within 24 hrs	Memo stating number of high priority discharges and number responded to within 24 hrs	Respond to 100% of high priority discharges within 24 hrs	Memo stating number of high priority discharges and number responded to within 24 hrs	Respond to 100% of high priority discharges within 24 hrs	Memo stating number of high priority discharges and number responded to within 24 hrs	Respond to 100% of high priority discharges within 24 hrs	Memo stating number of high priority discharges and number responded to within 24 hrs	Respond to 100% of high priority discharges within 24 hrs	Memo stating number of high priority discharges and number responded to within 24 hrs
3.6	IV.D.3.(c)(5)	Action to eliminate illicit discharges and illegal dumping	Notify 100% of responsible party within 24hrs of their requirement to perform corrective actions	Number of parties notified, number notified within 24 hrs and statement that parties were told they are required to perform corrective actions	Notify 100% of responsible party within 24hrs of their requirement to perform corrective actions	Number of parties notified, number notified within 24 hrs and statement that parties were told they are required to perform corrective actions	Notify 100% of responsible party within 24hrs of their requirement to perform corrective actions	Number of parties notified, number notified within 24 hrs and statement that parties were told they are required to perform corrective actions	Notify 100% of responsible party within 24hrs of their requirement to perform corrective actions	Number of parties notified, number notified within 24 hrs and statement that parties were told they are required to perform corrective actions	Notify 100% of responsible party within 24hrs of their requirement to perform corrective actions	Number of parties notified, number notified within 24 hrs and statement that parties were told they are required to perform corrective actions
3.7	IV.D.3.(c)(6)	Update inspection procedures	Review and update procedures for conducting inspections and follow-ups	Updated inspection procedures document	Review and update procedures for conducting inspections and follow-ups	Memo explaining review and actions taken.	Review and update procedures for conducting inspections and follow-ups	Memo explaining review and actions taken.	Review and update procedures for conducting inspections and follow-ups	Memo explaining review and actions taken.	Review and update procedures for conducting inspections and follow-ups	Memo explaining review and actions taken.
3.8.1	IV.D.3.(c)(6)	Inspections in response to complaints	Conduct inspections in response to 100% of complaints of illicit discharge or illegal dumping	Number of complaints received and number of inspections related to complaints	Conduct inspections in response to 100% of complaints of illicit discharge or illegal dumping	Number of complaints received and number of inspections related to complaints	Conduct inspections in response to 100% of complaints of illicit discharge or illegal dumping	Number of complaints received and number of inspections related to complaints	Conduct inspections in response to 100% of complaints of illicit discharge or illegal dumping	Number of complaints received and number of inspections related to complaints	Conduct inspections in response to 100% of complaints of illicit discharge or illegal dumping	Number of complaints received and number of inspections related to complaints
3.8.2	IV.D.3.(c)(6)	Follow-up inspections in response to complaints	Conduct follow-up inspections for 100% of complaints to verify compliance	Number of complaints and number of follow-up inspections made	Conduct follow-up inspections for 100% of complaints to verify compliance	Number of complaints and number of follow-up inspections made	Conduct follow-up inspections for 100% of complaints to verify compliance	Number of complaints and number of follow-up inspections made	Conduct follow-up inspections for 100% of complaints to verify compliance	Number of complaints and number of follow-up inspections made	Conduct follow-up inspections for 100% of complaints to verify compliance	Number of complaints and number of follow-up inspections made

### 3.4 MCM 4: Construction Site Storm Water Runoff Control

Summary: Develop, implement, and enforce a program to require operators to maintain stormwater controls to reduce pollutants of any storm water runoff to the small MS4 from construction activities

General Permit References: Part IV, Section D.4, pages 49-53.

2025-2029 Midland County Specific Requirements for this MCM:

- Develop and maintain an ordinance or other regulatory mechanism for operators.
- Prohibit certain illicit discharges that are commonly associated with construction.
- As allowed by state law, have a site plan review procedure. This should minimize water quality impacts.
- As allowed by state law, implement inspection procedures.
- As allowed by state law, inspect construction projects.
- Develop, implement and maintain procedures for receipt and consideration of information submitted by the public on construction sites.
- Conduct training for MS4 staff whose job duties are related to implementing MCM 4.

Description of Midland County Selected BMPs and Measurable Goals for this MCM:

- Develop and maintain an ordinance or other regulatory mechanism for operators. (BMPs 4.1)
  - 2020 Subdivision Regulations include requirements to satisfy the previous TPDES MS4 Permit.
    - During the permit term Midland County will revise these regulations to ensure compliance with the current TPDES MS4 Permit.
  - Midland County has construction stormwater program procedures in place and enforces them only to the extent that state law allows.
- Prohibit certain illicit discharges that are commonly associated with construction. (BMPs 4.2)
  - County development regulations will be updated to include these prohibitions.
  - These discharges are prohibited by adoption of this SWMP.
  - For County-owned roadway and building projects, standard contract language typically requires compliance with state and federal regulations. The SWMP includes an evaluation of all County contracting methods and revision to strengthen this language if needed.
- As allowed by state law, have a site plan review procedure. This should minimize water quality impacts. (BMP 4.3)
  - The “site plans” include both plans for construction on private property and construction in ROW for roadways or utilities.
  - Midland County has varying authority to review construction site drawings.

- Roadways that are or will be maintained by the County are subject to a review process that can effectively require submittal of an NOI for the Construction General Permit.
      - Construction outside road ROW, owned by the County can be reviewed for compliance with erosion control requirements.
      - Construction outside road ROW, owned by others, is subject to no consistent review authority or opportunity to ensure an NOI is obtained prior to construction.
        - Construction outside road ROWs in the ETJ's of Midland or Odessa may have additional review, but still inconsistent opportunity to require an NOI.
    - Site plan review procedures will be reviewed annually and updated as required. (BMP 4.3.1)
- As allowed by state law, implement procedures and inspect all construction projects. (BMP 4.4, 4.5)
  - Midland County has varying authority to inspect construction sites. (BMP 4.5)
    - Roadways that are or will be maintained by the County are subject to an inspection process by the County.
    - Construction outside road ROW, owned by the County can be inspected for compliance with erosion control requirements by the County.
    - Construction outside road ROW, owned by others is subject to no consistent inspection authority.
      - Construction outside road ROW in the ETJ's of Midland or Odessa may have additional inspection, but still inconsistent opportunity to verify compliance with erosion control requirements.
  - The County must provide a report showing results of inspections of erosion control measures.
  - Procedures for inspections will be reviewed and updated, if necessary. (BMP 4.4)
- Develop, implement and maintain procedures for receipt and consideration of information submitted by the public on construction sites.
  - BMP 1.1 includes a location on the County web page for submitting environmental concerns.
    - This page will remain available throughout the permit term.
  - Procedures for implementing and maintaining the receipt of information will be reviewed annually to make changes or improvements.
- Conduct training for MS4 staff whose primary job duties are related to implementing MCM 3. (BMP 4.6)
  - Currently Midland County has no staff whose primary job duties are related to construction stormwater, so there is no requirement.
  - The SWMP table includes a line item for this BMP in case construction stormwater personnel are hired, or to account for training staff who may oversee this program but also have other job duties.

## Stormwater Management Plan - Best Management Practices and Measurable Goals

### Construction Site Stormwater Runoff Control

MCM.B MP #	Regulatory Reference	BMP/Activity	Deadline December 31, 2025		Deadline December 31, 2026		Deadline December 31, 2027		Deadline December 31, 2028		Deadline December 31, 2029	
			Measurable Goal	BMP Milestone								
4.1	IV.D.4(a)	Revise County Development and Subdivision court order	Revise court order to add site operator compliance	Copy of County revised court order.								
4.2	IV.D.4(b)(2)	Prohibit discharges	Prohibit required discharges in revised Development and Subdivision Regulations	Copy of County revised court order.								
4.3.1	IV.D.4(b)(3)	Review and update site plan review procedures	Review and update site plan review procedures	Copy of procedures	Review and update site plan review procedures	Memo explaining review and actions taken.	Review and update site plan review procedures	Memo explaining review and actions taken.	Review and update site plan review procedures	Memo explaining review and actions taken.	Review and update site plan review procedures	Memo explaining review and actions taken.
4.3.2	IV.D.4(b)(3)	Implement new site plan review procedures	Use current site plan procedures for 100% of plans reviewed	Number of site plan reviews completed for new construction projects and number reviewed using review procedures	Use current site plan procedures for 100% of plans reviewed	Number of site plan reviews completed for new construction projects and number reviewed using review procedures	Use current site plan procedures for 100% of plans reviewed	Number of site plan reviews completed for new construction projects and number reviewed using review procedures	Use current site plan procedures for 100% of plans reviewed	Number of site plan reviews completed for new construction projects and number reviewed using review procedures	Use current site plan procedures for 100% of plans reviewed	Number of site plan reviews completed for new construction projects and number reviewed using review procedures
4.4	IV.D.4(b)(4)	Implement procedures for inspection large and small construction projects	Review and update site plan inspection procedures	Copy of procedures	Review and update site plan inspection procedures	Memo explaining review and actions taken.	Review and update site plan inspection procedures	Memo explaining review and actions taken.	Review and update site plan inspection procedures	Memo explaining review and actions taken.	Review and update site plan inspection procedures	Memo explaining review and actions taken.
4.5	IV.D.4(b)(4)	Conduct construction site inspections	Conduct inspection at 80% of active county construction sites	Number of county construction sites, number of sites inspected and number of follow-ups completed	Conduct inspection at 80% of active county construction sites	Number of county construction sites, number of sites inspected and number of follow-ups completed	Conduct inspection at 80% of active county construction sites	Number of county construction sites, number of sites inspected and number of follow-ups completed	Conduct inspection at 80% of active county construction sites	Number of county construction sites, number of sites inspected and number of follow-ups completed	Conduct inspection at 80% of active county construction sites	Number of county construction sites, number of sites inspected and number of follow-ups completed
4.6	IV.D.4(b)(6)	Train construction stormwater staff	Conduct annual training for 100% of staff whose primary job duties are related to implementing the construction stormwater program	Copy of training sign-in sheets or other proof of training.	Conduct annual training for 100% of staff whose primary job duties are related to implementing the construction stormwater program	Copy of training sign-in sheets or other proof of training.	Conduct annual training for 100% of staff whose primary job duties are related to implementing the construction stormwater program	Copy of training sign-in sheets or other proof of training.	Conduct annual training for 100% of staff whose primary job duties are related to implementing the construction stormwater program	Copy of training sign-in sheets or other proof of training.	Conduct annual training for 100% of staff whose primary job duties are related to implementing the construction stormwater program	Copy of training sign-in sheets or other proof of training.

### 3.5 MCM 5: Post-Construction Storm Water Management in New Development and Redevelopment

Summary: Develop, implement, and enforce a program to address storm water runoff from new development and redevelopment projects that are disturb one acre or more, including projects that disturb less than one acre but are part of a larger common plan of development. Have a regulatory mechanism to require owners of newly developed or redeveloped sites to use structural and non-structural BMPs that protect water quality.

General Permit References: Part IV, Section D.5, pages 54-55.

2025-2029 Midland County Specific Requirements for this MCM:

- The County is required, as allowed by law, to develop and maintain a regulatory mechanism that will protect water quality by requiring these sites to install BMPs that will protect storm water quality.
- The County must apply this program to public and private developments.
- Document and maintain records of enforcement actions and make them available to TCEQ on request.
- Midland County must ensure long-term operation and maintenance of any stormwater control structure.

Description of Midland County Selected BMPs and Measurable Goals for this MCM:

- The County is required, as allowed by law, to adopt a regulatory mechanism that will protect water quality. (BMP 5.1)
  - Midland County has some authority over subdivision plats. BMPs 3.4 and 4.1 in the SWMP also include an assessment of legal authority.
  - Midland County has a development review process for subdivision plats, which includes some drainage-related requirements. Though the Texas Local Government Code does not specifically allow the County to regulate water quality, these drainage provisions incidentally provide some water quality benefits as well as reduce the likelihood of downstream flooding.
  - Within the Odessa and Midland ETJ's, staffs of those cities have primary subdivision review authority. They apply local standards that protect storm water quality during their review processes.
- The County must apply this program to public and private developments. (BMP 5.1)
  - Midland County has no enforcement authority over other public entities.
  - Midland County can apply these requirements to County-owned projects.
  - Midland County's authority over private developments is described in MCM 3.
- Document and maintain records of enforcement actions and make them available to TCEQ on request. (BMP 5.2)
  - The most likely scenario for enforcement would be a case where a developer did not install a required drainage facility to conform with the plat or with construction plans for roadways.
    - Records of any enforcement actions taken will be made available to TCEQ within 24 hours of request.

- The County has a requirement for subdividers to provide a bond to ensure that road and drainage improvement are constructed.
- Midland County must ensure long-term operation and maintenance of any stormwater control structure. (BMP 5.3)
  - Stormwater control structures in Midland County usually are detention or retention basins.
    - Redeveloped sites, other than Midland County's own facilities, are outside the County's jurisdiction, unless they are required.
  - Midland County will continue to use easement maintenance language that meets the permit requirements for subdivision plats they review and approve.
    - Language, which was developed in prior permit terms, requires owners to implement a maintenance plan for stormwater controls.
  - Maintenance must be documented.
    - Midland County will document maintenance of County-owned stormwater control structures (such as vehicle wash water capture facilities).
    - Midland County will require private stormwater control structure owners to keep maintenance records and make them available to TCEQ within 24 hours of request.
      - This is part of the language required for subdivision plats and drainage easement dedications.

## Stormwater Management Plan - Best Management Practices and Measurable Goals

### Post Construction Stormwater Management

MCM.B MP #	Regulatory Reference	BMP/Activity	Deadline December 31, 2025		Deadline December 31, 2026		Deadline December 31, 2027		Deadline December 31, 2028		Deadline December 31, 2029	
			Measurable Goal	BMP Milestone								
5.1	IV.D.5(a)(2)	Develop and maintain an ordinance or other regulatory mechanism	Review and update the ordinance for stormwater discharge at all new and re-development sites	Copy of development regulations	Review and update the ordinance for stormwater discharge at all new and re-development sites	Memo explaining review and actions taken.	Review and update the ordinance for stormwater discharge at all new and re-development sites	Memo explaining review and actions taken.	Review and update the ordinance for stormwater discharge at all new and re-development sites	Memo explaining review and actions taken.	Review and update the ordinance for stormwater discharge at all new and re-development sites	Memo explaining review and actions taken.
5.2	IV.D.5(b)(1)	Document and maintain records of enforcement actions and make them available for review by TCEQ	Maintain records of 100% of enforcement actions taken and make them available to TCEQ to review within 24hrs of request	List of all TCEQ review requests	Maintain records of 100% of enforcement actions taken and make them available to TCEQ to review within 24hrs of request	List of all TCEQ review requests	Maintain records of 100% of enforcement actions taken and make them available to TCEQ to review within 24hrs of request	List of all TCEQ review requests	Maintain records of 100% of enforcement actions taken and make them available to TCEQ to review within 24hrs of request	List of all TCEQ review requests	Maintain records of 100% of enforcement actions taken and make them available to TCEQ to review within 24hrs of request	List of all TCEQ review requests
5.3	IV.D.5(b)(2)	Maintenance of private structural stormwater controls	Obtain easements for private SW, BMPs with language that complies with permit	Keep samples of compliant easements on plats and as separate instruments	Obtain easements for private SW, BMPs with language that complies with permit	Keep samples of compliant easements on plats and as separate instruments	Obtain easements for private SW, BMPs with language that complies with permit	Keep samples of compliant easements on plats and as separate instruments	Obtain easements for private SW, BMPs with language that complies with permit	Keep samples of compliant easements on plats and as separate instruments	Obtain easements for private SW, BMPs with language that complies with permit	Keep samples of compliant easements on plats and as separate instruments

### 3.6 MCM 6: Pollution Prevention and Good Housekeeping for Municipal Operations

Summary: Establish an operation and maintenance program, including an employee training component, that has the ultimate goal of preventing or reducing pollutant runoff from municipal operations.

General Permit References: Part IV, Section D.6, pages 56-61.

2025-2029 Midland County Specific Requirements for this MCM:

- Maintain an inventory of County facilities, including any structural stormwater controls.
- Train County employees that are involved in implementing pollution prevention practices and keep records.
- Require any contractors hired by the County to comply with the same stormwater related operating procedures as County employees.
- Dispose of waste materials from the MS4 (ditches, culverts, etc.) in accordance with Texas law.
- Evaluate various operations and maintenance activities for their potential to discharge pollutants.
- Identify pollutants that might be discharged from these activities and assess how to reduce quantity or toxicity of these discharges.
- Develop and implement procedures to inspect County-owned pollution prevention measures, including frequency and logging of inspections.
- Inspect pollution prevention measures at County owned facilities.
- Maintain structural stormwater controls.

Description of Midland County Selected BMPs and Measurable Goals for this MCM:

- Maintain an inventory of County facilities, including any structural stormwater controls. (BMP 6.1)
  - If the property has a TCEQ permit of any kind, this information is required to be in the inventory.
  - The inventory list will be reviewed on an annual basis for completeness.
  - Structural stormwater controls OWNED and OPERATED by the County are required to be in the inventory. Any structure or device that captures or prevents pollution in storm runoff is a structural stormwater control.
    - Flood control basins that capture runoff and hold it long enough for sediment and other pollutants to drop to the bottom reduce stormwater pollution and are considered structural stormwater controls. They may not explicitly be designed for that function, but they do have that benefit.
    - Flood control basins with outfall pipes that drain quickly probably do not function as structural stormwater controls, since the water does not slow down enough for pollutants to settle.

- The County has a vehicle washing station which includes a device to capture and infiltrate vehicle wash water into the ground. This is a structural stormwater control because it prevents water that may contain detergent, soil or oils from running off the site during rains. The groundwater table is low enough that these pollutants will not reach the water table, so it is an adequate pollution prevention device.
    - Other typical structural stormwater controls include temporary or permanent erosion control structures such as silt fences, inlet protection, rip-rap outlet protection, or rock check dams in ditches.
- Train County employees that are involved in implementing pollution prevention practices (Good Housekeeping Training) and keep records. (BMP 6.2)
  - Midland County staff in Road & Bridge and Facilities maintain County property and facilities that are outdoors and have potential to generate stormwater pollutants.
    - Training will be conducted on an annual basis and records of attendance will be archived.
    - Contractors who maintain County facilities will also be trained annually, and records will be kept.
- Require any contractors hired by the County to comply with the same stormwater related operating procedures as County employees. (BMP 6.3)
  - Generally, standard contract language requires the contractor to comply with all local, state and federal laws.
  - An evaluation of the County's standard contract language was included in a previous permit term of the SWMP.
  - The County is required to verify contractors are complying with the contract language and to have procedures for overseeing the contractors.
  - Oversight procedures for contractors must be kept at the site available for TCEQ review if requested.
- Dispose of waste materials from the MS4 (ditches, culverts, etc.) in accordance with Texas law.
  - Permit refers to 30 TAC Chapters 330 (Municipal Solid Waste regulations) or 335 (Industrial Solid Waste and Municipal Hazardous Waste regulations).
    - This applies to cleaning and maintaining water conveyance features such as ditches, curbs and culverts.
  - These regulations can be incorporated into the required O&M procedures for roads, parking lots and bridge maintenance as well as for ROW ditch and basin maintenance.
    - County departments responsible for cleanups will be interviewed.
    - Standard operation procedures will be updated if necessary.
- Evaluate various operations and maintenance activities for their potential to discharge pollutants. (BMP 6.4)
  - Municipal Operations and Maintenance Activities are the focus of several requirements. Midland County has responded to these earlier permits by developing standard operating procedures for targeted facilities that incorporate each of the MS4 General Permit requirements below:

- Evaluation will include disposal of waste, chemicals used, erosion control practices, as well as operations and maintenance processes.
  - Standard operating procedures will be reviewed as scheduled annually and updated as necessary.
  - Road, parking lot and bridge maintenance
    - This BMP is targeted to maintenance of concrete and asphalt, including pavement markings.
  - ROW maintenance
    - This BMP addresses mowing, use of herbicides and pesticides and planting vegetation. It can apply to roadside ditches or to channels and basins not associated with roadways.
  - Cold weather operations
    - This BMP looks at storage of sand or deicers for roadways and their application.
  - The permit states O&M activities to evaluate are not limited to the three above. Midland County has considered other operations and prepared an inspection report for the Horseshoe Facility, finding potential pollutants to be controlled, so no additional SOPs were created.
- Identify pollutants that might be discharged from these activities and assess how to reduce quantity or toxicity of these discharges. (BMP 6.4)
  - This requirement should be addressed in each of the activity O&M procedures.
  - The pollutants of concern list will be updated at least once annually to address changes or additions.
- Develop and implement pollution prevention measures that will reduce the discharge of pollutants from the targeted activities listed in BMP 6.4
  - On County facilities, examples of pollution prevention measures would include spill containment curbs around fuel tanks, roofs over stored chemicals, and vehicle wash water capture devices.
  - The permit requires Midland County to implement at least two of these measures:
    - Measures to prevent runoff from deicing storage
    - Track all deicing compounds in the MS4 area.
      - Midland County cannot implement the above two measures since they do not use deicing materials.
    - Capture paint, solvents and rust that may fall off bridges during maintenance.
      - The County has a few bridges, and this can be incorporated in the SOP for Road, Bridge & Parking Lot Maintenance.
    - Midland County will evaluate any chemicals being used at county facilities for a more environmentally friendly alternative over the permit term.
      - This was completed in a prior permit term, but it will be done again this term. The permit requires at least 50 percent of the chemicals to be replaced. This may be infeasible since previously completed.
- Inspect pollution prevention measures at County owned facilities. (BMP 6.5)

- Midland County will visually inspect all pollution prevention measures annually to ensure they are working properly.
  - Procedures for these inspections will be reviewed annually.
  - Inspection logs will be maintained and made available to TCEQ within 24 hours of request.
- Inspection procedures describing the frequency of inspections and how they will be conducted will be reviewed and updated annually.
- Maintain stormwater structural controls. (BMP 6.6)
  - Most structural stormwater controls will be in County ROW.
  - All structural controls will be maintained on an annual basis.
  - Procedures for structural control maintenance will be updated annually.

## Stormwater Management Plan - Best Management Practices and Measurable Goals

### Pollution Prevention and Good Housekeeping for Municipal Operations

MCM.B MP #	Regulatory Reference	BMP/Activity	Deadline December 31, 2025		Deadline December 31, 2026		Deadline December 31, 2027		Deadline December 31, 2028		Deadline December 31, 2029	
			Measurable Goal	BMP Milestone								
6.1	IV.D.6(b)(1)	County-owned facilities and stormwater control inventory	Update inventory for 100% of county owned and facilities and structural stormwater controls	Copy of list	Update inventory list	Copy of list if updates are made	Update inventory list	Copy of list if updates are made	Update inventory list	Copy of list if updates are made	Update inventory list	Copy of list if updates are made
6.2	IV.D.6(b)(2)	Training and education	Training for 100% of employees implementing pollution prevention and good housekeeping practices	Description of training and list of employees trained	Training for 100% of employees implementing pollution prevention and good housekeeping practices	Description of training and list of employees trained	Training for 100% of employees implementing pollution prevention and good housekeeping practices	Description of training and list of employees trained	Training for 100% of employees implementing pollution prevention and good housekeeping practices	Description of training and list of employees trained	Training for 100% of employees implementing pollution prevention and good housekeeping practices	Description of training and list of employees trained
6.3	IV.D.6(b)(4)	Contractor oversight and requirements	Enforce contract language that requires contractors to comply with all regulations	Memo stating oversight is ongoing and providing examples of enforcement if applicable	Enforce contract language that requires contractors to comply with all regulations	Memo stating oversight is ongoing and providing examples of enforcement if applicable	Enforce contract language that requires contractors to comply with all regulations	Memo stating oversight is ongoing and providing examples of enforcement if applicable	Enforce contract language that requires contractors to comply with all regulations	Memo stating oversight is ongoing and providing examples of enforcement if applicable	Enforce contract language that requires contractors to comply with all regulations	Memo stating oversight is ongoing and providing examples of enforcement if applicable
6.4	IV.D.6(b)(5)a	Standard operating procedures for targeted facilities	Update Road, Bridge & Parking Lot Maintenance O&M procedures	Copy of procedures	Update ROW, Ditch & Basin Maintenance O&M procedures	Copy of procedures	Update Cold Weather O&M procedures	Copy of procedures	Review other County operations and create SOPs if indicated	Copy of procedures		
6.5	IV.D.6(b)(5)d	Inspect pollution prevention measures at County facilities	Review list, update procedures, make inspections and log them	Update list if revised and log of inspections	Review list, update procedures, make inspections and log them	Update list if revised and log of inspections	Review list, update procedures, make inspections and log them	Update list if revised and log of inspections	Review list, update procedures, make inspections and log them	Update list if revised and log of inspections	Review list, update procedures, make inspections and log them	Update list if revised and log of inspections
6.6	IV.D.6(b)(6)	Structural control maintenance	Update list, procedures and perform maintenance	Update list, if revised and provide copy of procedures	Update list, procedures and perform maintenance	Update list, if revised and provide copy of procedures	Update list, procedures and perform maintenance	Update list, if revised and provide copy of procedures	Update list, procedures and perform maintenance	Update list, if revised and provide copy of procedures	Update list, procedures and perform maintenance	Update list, if revised and provide copy of procedures