



TEXAS COMMISSION
ON ENVIRONMENTAL QUALITY

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Municipal Separate Storm Sewer System (MS4)

Presents the definition of municipal separate storm water sewer system (MS4) as taken from federal rules.

"Municipal separate storm sewer system" is specifically defined in the federal rules (Title 40 Code of Federal Regulations Part 122.2**xxxx**), but the term is easier to understand if we break it down.

First, "separate storm sewer system" includes ditches, curbs, gutters, storm sewers, and similar means of collecting or conveying runoff that do not connect with a wastewater collection system or treatment plant.

And to be a "municipal separate storm sewer system" (MS4), the system must be owned or operated by a public agency for example:

- a city or town
- a municipal utility district, flood control district, or other special district
- a county
- a state or federal agency

If you have any questions as to whether you own or operate an MS4, contact us.

Related content

- ↪ [Municipal Separate Storm Sewer System \(MS4\) Discharges: Am I Regulated?](#)
- ↪ [Storm Water Permitting Requirements for Phase I \(Medium and Large\) MS4s](#)
- ↪ [Storm Water Permitting Requirements for Phase II \(Small\) MS4s](#)

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CDL means Commercial Driver License holders. The COUNTY requires certain Employees to maintain a CDL. The DOT regulations (49 CFR Parts 40 and 382) require the COUNTY to have a special, mandatory controlled substance and alcohol testing policy for these Employees. All applicable drug and testing procedures shall meet DOT regulations. A copy of the DOT regulations shall be available for inspection and copying in the Personnel Office.

Commission means the Hidalgo County, Texas Civil Service Commission established pursuant to the Texas Local Government Code.

Controlled Substance means illegal drugs plus any other substance covered by Schedules I through V of the Federal Controlled Substances Act (21 USC 801, et seq.) or the Texas Controlled Substances Act (Chap. 481, Texas Health and Safety Code). A controlled substance is unauthorized if the Employee does not have a valid prescription for that substance at the time of its use or possession.

Conviction means a final, non-appealable finding of guilt by either a judge or jury, or a suspension of sentence, probation or deferred adjudication, including a plea of *no lo contendere*.

COUNTY means Hidalgo County, Texas as organized and existing under the constitution and laws of the State of Texas.

Department means a COUNTY, district, or precinct office, agency, or board that has jurisdiction and control of designated governmental functions.

Department Head means an individual appointed as a supervisor of a department by one of the following: Commissioner's Court, County Judge, a designated representative of the Commissioner's Court, or an Elected Official.

Detectable means the measureable presence of an illegal or prohibited drug or substance found in the body fluids at an mg/ml level of detection specified by the COUNTY's contract with a National Institute of Drug Abuse (NIDA) certified testing laboratory; such levels will meet the DOT requirements.

Elected Official means an individual elected to a position created by the constitution or by statute. The term of an Elected Official is limited by the constitution.

Employee means any person employed by the COUNTY, including Elected Officials, full-time, part-time, temporary, probationary and contract employees.

Safety Sensitive Position means a position in which a drug impairment constitutes an immediate and direct threat to public health or safety, such as a position that requires the employee to carry a firearm. Perform life threatening procedures or work with controlled substances; a position in which a drug impairment constitutes an immediate and direct threat to the Employee's health or safety; a position which has access to a juvenile



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Storm Water Permitting Requirements for Phase II (Small) MS4s

Authorization options, control measures required, annual reporting requirements, and links to best management practices for operators of Phase II MS4s.

If you operate a regulated small municipal separate storm sewer system (MS4), then you must develop a storm water management program (SWMP) that includes at least these six control measures:

- public education and outreach
- public involvement or participation
- detection and elimination of illicit discharges
- controls for storm water runoff from construction sites
- post-construction storm water management in areas of new development and redevelopment
- pollution prevention and "good housekeeping" measures for municipal operations

These measures must be developed by identifying and applying best management practices (BMPs). See the EPA's "Menu of BMPs" [link](#) for examples and guidance. (Depending on the rainfall conditions and topography in your area, some of these BMPs might have to be adapted to your local situation.)

The deadline to apply for coverage was February 11, 2008.

General Permit Issued

General Permit TXR040000 (PDF/Word) was signed and made effective on August 13, 2007, and authorizes the discharge of storm water from certain small MS4s.

Forms

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

Notice of Change (NOC) to an Authorization for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (MS4) under the TPDES Phase II MS4 General Permit (TXR040000) (PDF)

Notice of Termination (NOT) of coverage under TPDES General Permit Number TXR040000 (PDF).

Annual Report

All MS4 operators authorized under TPDES General Permit TXR040000 must submit an annual report within 90 days of the end of each permit year. The second permit year began on August 13, 2008 and ended on August 13, 2009. **The deadline for submitting the Year 2 annual report is November 12, 2009.** The annual report must include information such as the status of compliance with permit conditions, an assessment of the appropriateness of best management practices (BMPs), a description of progress towards reducing the