



# TxDOT MS4 Permit Public Notice

## Frequently Asked Questions

*Last Updated September 26, 2022*

This FAQ sheet is intended to address common questions from the public. For additional information please email us at [MS4@txdot.gov](mailto:MS4@txdot.gov).

## Questions Related to the Renewal Process

---

### Q1: Where can I view the permit application?

The application is available for in-person viewing at each of the applicable district offices, during regular business hours. The address for each applicable district office is listed in the public notice.

### Q2: Is the permit application available online?

The application is available for download from the Stormwater Program Page at <https://www.txdot.gov/inside-txdot/division/environmental/stormwater-program.html>.

### Q3: How long will the permit application be available for viewing?

The permit application will be available for viewing online and in-person at applicable district offices until the end of the public comments period. This is likely still several months away depending on the Texas Commission on Environmental Qualities' review schedule, as they have not yet set a date. Keep an eye on the newspaper you saw this notice in for an official comment deadline.

### Q4: How can I track the status of the permit?

The permit status can be viewed by visiting the Texas Commission on Environmental Quality's Commissioners' Integrated Database at the website in the newspaper notice. Search for the permit using this number: **WQ0005011000** (these are zeros) in the "TCEQ ID Number" box.

### Q5: Is the permit application just for this area?

The permit covers the TxDOT right-of-way in areas with high population and population density that are regulated under the MS4 program across the whole state. You can see the affected city, counties, zip codes, and watersheds in the permit application or on the TxDOT website at <https://www.txdot.gov/inside-txdot/division/environmental/stormwater-program.html>.

### Q6: How does the permitting process work/ what are the steps of the process?

The Texas Commission on Environmental Quality Public Education Program can provide more information on the permitting process and on the permit application. Contact them at the website in the public notice or Toll Free at 1-800-687-4040.

### Q7: I have comments, where do I submit them?

All comments must be submitted to the Texas Commission on Environmental Quality. They can be submitted electronically at the website that was written in the public notice or in writing at Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Please be aware that any contact information you provide, including your name, phone number, email address and physical address will become part of the agency's public record.

**Q8: When is the due date for submitting comments to TCEQ?**

TCEQ has not yet set a comments deadline. When the draft permit is completed there will be a second round of publication and this is when TCEQ will set the comment deadline.

**Q9: How do I request a public meeting?**

Requests for public hearings must be submitted to the Texas Commission on Environmental Quality following the directions outlined in the newspaper notice. Call the Texas Commission on Environmental Quality's Public Education Program Toll Free at 1-800-687-4040. For more information.

## Questions Related to the MS4 Program and TxDOT

---

**Q1: What is an MS4?**

"MS4" stands for Municipal Separate Storm Sewer System. An MS4 is a storm sewer system that could discharge untreated stormwater to surface water bodies, and that is operated by a public agency. It includes things like roadside ditches and storm drains.

**Q2: Why is TxDOT applying for this permit?**

The Clean Water Act and Texas Pollutant Discharge Elimination System (TPDES) require operators of certain storm sewer systems in areas that are regulated under the MS4 program to obtain permits to legally discharge stormwater from their storm sewer system. We are responsible for storm sewer systems associated with the state's highway system in these areas, so we need a permit for them.

**Q3: Has TxDOT had a permit like this before?**

Yes, TxDOT has had MS4 permits since the MS4 regulations went into effect in the early 1990's. In November 2016, the Texas Commission on Environmental Quality issued TxDOT a statewide MS4 permit, consolidating the 34 permits we had before. That permit was for 5 years, and now TxDOT is in the process of renewing that permit.

**Q4: What does the permit require?**

The permit requires that we implement a number of control measures designed to improve the quality of stormwater that comes out of our storm sewer system. This includes things like continuing to implement a program to monitor what comes into our storm sewer system, so we can address things like litter or the dumping of used motor oil into it. It also requires that we continue to address our own operations, like construction activities and fertilizer application, to ensure we are not inadvertently releasing contaminants into the storm sewer system.

**Q5: Do other agencies/organizations have MS4 permits?**

Any city, county, state or federal agency that operates an MS4 in a regulated area needs a permit to discharge stormwater from their storm sewer system. For example, most of the large and medium sized cities in Texas also have MS4 permits, as well as the transportation departments in other states.

**Q6: Why is this an individual permit, not a general permit?**

Since most MS4 operators are municipalities, the existing general permit is really tailored for them. We had been operating under the general permit in the past, but it did not fit us well because we do not have the same authorities or responsibilities as a municipality. In November 2016 we were issued an individual permit tailored specifically for transportation.

**Q7: How can I get involved with implementation?**

We have several programs that help keep our storm sewers clean and that depend on public participation to work:

Report a Litterer: <http://www.dontmesswithtexas.org/get-involved/report-a-litterer/>  
Adopt-a-Highway: <http://www.txdot.gov/inside-tdot/get-involved/volunteer/adopt-a-highway.html>  
Sponsor a Highway: <http://texassponsorahighway.com/>  
Participate in Trash-Off: <http://www.dontmesswithtexas.org/get-involved/trash-off/>

We are also working with the Texas Commission on Environmental Quality to implement “Don’t Mess with Texas Water,” which will provide a toll-free number to report illegal dumping:  
<https://www.tceq.texas.gov/p2/dont-mess-with-texas-water-a-way-to-report-illegal-dumping>.