



Public Works/Engineering Services

BATCH PLANT PERMIT AND INSPECTION REQUIREMENTS

When is a Batch Plant Permit Required?

A Batch Plant (BP) permit is required before a temporary asphalt or concrete batch plant can be constructed within the Town of Flower Mound.

Purpose

The purpose of a batch plant permit is to ensure that the batching site does not cause disruption or inconvenience to residents of the Town, and that the Town's Tree Ordinances are followed when a plant is constructed. The batch plant must meet all provisions stated in Chapter 98, Zoning, Section 98-974 of the Town's Code of Ordinances, unless an exception has been approved by the Town Council.

Contractor Registration

The applicant must be registered with the Town of Flower Mound Engineering Department in order to apply for a Batch Plant permit through the eTRAKiT system. Contractors may find the Development Contractor registration form on the engineering home page under the "Permits and Forms" tab: <https://www.flower-mound.com/194/Permits-and-Forms>.

Permit Applications

Batch Plant Permits must be applied for online utilizing the Town of Flower Mound's eTRAKiT permit tracking system. Applicants can access the eTRAKiT system at <http://etrakit.flowermound.com/>.

When submitting for a Batch Plant permit the applicant must upload the following documents:

1. **A LETTER OF INTENT** – The letter of intent must include the following information:
 - a) The identity of property owner.
 - b) The type of work being done (concrete batch plant etc.).
 - c) Who is doing the work (contractor's name, address and contact information).
 - d) Expected start date of the work.
 - e) Expected duration of the work.

2. **A LETTER OF PERMISSION (If Required)** – A letter of permission is only required if the applicant is anyone other than the property owner or the property owner’s legal representative.

- a) The letter of permission must provide the property owners contact information; both mailing address and phone number.
- b) The letter of permission must state that the property owner has reviewed the plans and that the applicant has the owner’s permission to do the work shown.

3. **NOTICE OF INTENT (NOI) (If Required):**

- a. Please refer to TCEQ flow chart to determine if a NOI is required (Attachment 2).
- b. Please refer to the TCEQ website for any information on NOI requirements:
<https://www.tceq.texas.gov/permitting/stormwater>

4. **STORM WATER POLLUTION PREVENTION PLAN (SWPPP) (If Required):**

- a) Refer to TCEQ flow chart (Attachment 2) to determine if a SWPPP is required for your project. If a SWPPP is not required, the contractor must provide a letter stating so and indicating the reason it isn’t required; for example, if the disturbed area is less than an acre.
- b) Please refer to the TCEQ website for any information on SWPPP requirements:
<https://www.tceq.texas.gov/permitting/stormwater>
- c) Contact Environmental Services at 972-874-6340 for questions related to SWPPP for the Town of Flower Mound.

5. **TREE SURVEY AND PROTECTION PLAN:**

- a) The tree survey must be prepared in accordance with Town of Flower Mound Ordinances.
- b) The tree survey must be approved by the Town’s Environmental Department.
- c) All protected and specimen trees must have fencing around their canopy extent if they are within 20’ of the proposed plant location.
- d) Protected trees require 4’ tall orange mesh fencing around the drip line and specimen trees require 6’ tall chain link fencing around the drip line.

6. **TCEQ AUTHORIZATION LETTER** – A letter from the Texas Commission on Environmental Quality stating authorization of the site is required. This document should be uploaded to eTRAKiT.

- a) Please refer to the TCEQ website for any information on standard batch plant permits:
<https://www.tceq.texas.gov/permitting/air/newsourcereview/mechanical/cbp.html>

7. **SITE PLAN** – A site plan with the location of the proposed batch plant and marked with distances to the nearest inhabited residences should be submitted for review. These distances should be a minimum of 600 feet. If the plan is approved, the plant’s location will be verified during the Field Coordination meeting (see inspection requirements).

8. **BATCH PLANT PACKET:**

- a) The Batch Plant packet is included at the end of this document (Attachment 1), and states the requirements of the town’s Code of Ordinances
- b) This packet must be filled out and submitted through the eTRAKiT system.

Permit Expiration

An issued batch plant permit is valid for a 3-month (90 day) period. The contractor may request a one time, 60-day extension of the permit by contacting the Chief Construction Inspector prior to the expiration of the permit. If an extension is not granted, or if the extension expires, the applicant must apply for a new permit. After the permit expires, if the applicant still needs a batch plant permit, they must re-apply.

Inspection Requirements

All inspections must be requested by using the online eTRAKiT inspection scheduling program. To schedule an inspection, go to <http://etrakit.flower-mound.com> and use your contractor login to access your permits. Inspections can be requested as late as 7:30 a.m. for a same-day inspection. Inspections can be scheduled up to 14 days in advance (excluding holidays and weekends). You can also cancel inspections and check inspection results using the same website.

The following inspections are required for every batch plant permit:

1. Tree Protection – The Tree Protection inspection is scheduled on-line through the Town’s eTRAKiT system. Depending on the types of trees identified at the work site this may be an on-site inspection. For an on-site inspection all required tree protection must be installed prior to the scheduling the inspection. At the on-site inspection the Town’s inspector will verify that all required tree protection is installed per the approved plans. The contractor is not required to be present for this inspection.
2. Storm Water Protection – The Storm Water Protection inspection is scheduled on-line through the Town’s eTRAKiT system. Depending on the scope of work this may be an onsite inspection. For an on-site inspection all required erosion control protection measures must be installed prior to the scheduling the inspection. At the on-site meeting the Town’s inspector will verify that all erosion control measures are installed per the approved plans. The contractor is not required to be present for this inspection.

The Tree Protection and Storm Water Protection inspections can be scheduled in any order, but both must be approved before the Field Coordination Meeting can be scheduled.

3. Field Coordination Meeting – The Field Coordination meeting, is an in-person, on-site meeting that is scheduled by the applicant through the eTRAKiT system. At the Field Coordination meeting the Town’s Construction Inspector will discuss the inspection process with the contractor.

Note that the three inspections above must be approved before any work can begin on the site.

4. Stormwater Protection Final Inspection – The Stormwater Protection Final inspection is scheduled on-line through the Town’s eTRAKiT system. At the time this inspection is scheduled, all erosion controls measures must have been removed. The Town’s Inspector will visit the site to verify that all

erosion control measures are gone and that all disturbed areas are final stabilized. The contractor is not required to be on site for this inspection.

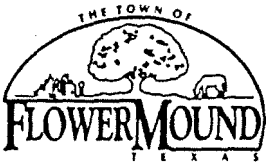
5. Trees Final Inspection – The Tree Protection Final inspection is scheduled on-line through the Town’s eTRAKiT system. At the time of this inspection all tree protection measures have been removed. The Town’s Inspector will visit the site to verify that any protected and/or specimen trees onsite have not been impacted. The contractor is not required to be on site for this inspection.

6. Removal Inspection – This is the last inspection scheduled. This inspection is scheduled on-line through the Town’s eTRAKiT system. The Town’s Construction Inspector will visit the site to verify that the plant has been removed and all disturbed areas are vegetated and returned to the original grade. The contractor is not required to be on site for this inspection.

NOTE: Additional inspections may be required on a permit specific basis depending on the scope of the work

For Questions or Assistance

1. The Engineering Services Division may be contacted by phone at (972) 874-6315 or by email at engineering@flower-mound.com.
2. The mailing address is 2121 Cross Timbers Road, Flower Mound, TX 75028
3. On-line at www.flower-mound.com.
4. For Permit Information and Inspection Scheduling: <http://etrakit.flower-mound.com>



ATTACHMENT 1:

**SPECIAL CONDITIONS
TEMPORARY CONCRETE OR ASPHALT
BATCHING PLANT PACKET**

The following packet must be completed, scanned, and uploaded to your permit application that is submitted at etrakit.flowermound.com. Your online permit application cannot be processed without all information requested, including an authorization letter from the Texas Commission on Environmental Quality, in order to comply with State and Federal Law.

Please initial one of the following:

_____ Pursuant to the provisions contained in Chapter 98, Zoning, Section 98-974, all of the following conditions listed below have been met.

_____ Pursuant to the provisions contained in Chapter 98, Zoning, Section 98-974, an exception is being requested on one or more of the following conditions which shall require approval of the Town Council. All requests for exception(s) must be submitted in the form of a letter stating the requested exception(s) and reasons for same.

CHAPTER 98: Zoning, Subdivision III, Special Use Conditions, Section 98-974; Asphalt or concrete batching plant (temporary); Chapter 94, Article V, Tree Protection, Section 94.51. Enumeration. A temporary asphalt or concrete batching plant permit may be approved by the Town of Flower Mound, subject to the following conditions. Any exceptions to the following conditions shall require approval of the Town Council.

- a. The batching plant site shall comply with all applicable provisions of Town, State, and Federal laws.
- b. The batching plant shall not be located within six hundred feet (600') of an inhabited residence.
- c. Hours of operation will be limited to Monday through Friday, 7:00a.m. to 7:00p.m., and Saturday, 9:00a.m. to 5:00p.m. Aggregate trucks shall be prohibited from hauling to or from the site on Saturday.
- d. The batching plant permit will be valid for a three (3) month period.
- e. Site approved for temporary batching plant permits shall be fenced and gated. With approval of the Tree Preservation and Enforcement Officer or authorized designee, the designated parking and stockpile areas may be combined into one fenced area, provided the preservation of protected trees is not adversely affected or jeopardized. Said designated areas shall be completely fenced with chain-link fencing and gates for safety purposes and to separate Protected, Specimen, Majestic or Historic Trees from the construction area and related construction activity.
- f. No portion of the batching plant or its operation shall be located on a public or private street, or on land dedication to the Town for parks and open space.
- g. The batching plant shall only furnish concrete, asphalt, or both, to the specific project for which the temporary permit is issued. The placement of a temporary batching plant for a private project is restricted to the site of the project.
- h. The temporary plant shall be operated in a manner that eliminates unnecessary dust, noise, and odor (as illustrated by, but not limited to, covering trucks, hoppers, chutes, loading and unloading devices and mixing operations, and maintaining driveways and parking areas free of dust).

- i. The site must be clear of all equipment, material, and debris upon completion of the project.
- j. All public improvements that are damaged during the operation of the temporary batching plant must be repaired or replaced within thirty (30) days of completion of the project.
- k. Upon expiration of the temporary permit and cessation of activities, the Town's inspector and the Permittee shall walk the site to verify compliance with these special conditions.

ACCEPTANCE AND AGREEMENT (please initial):

_____ If this permit is approved and the Permittee constructs a temporary concrete or asphalt batching plant, it shall be constructed according to the provision of this permit.

_____ The Permittee agrees to bear all costs associated with the operation and maintenance of his temporary concrete or asphalt batching plant.

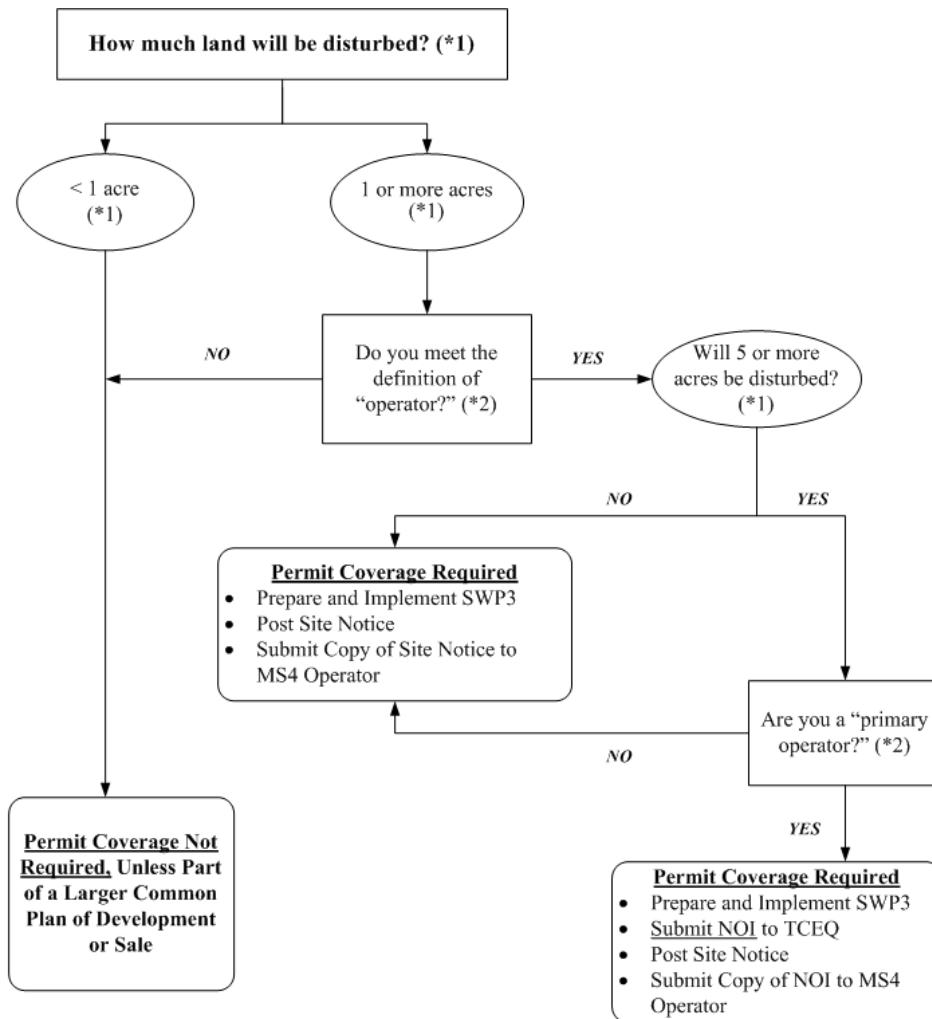
_____ In connection with the issuance of this temporary concrete or asphalt batching plant permit, the Permittee has agreed to comply with "a" through "k" above.

ATTACHMENT 2. TCEQ FLOWCHART

Construction General Permit

TPDES General Permit TXR150000

Flow Chart to Determine Whether Coverage is Required



- (*1) To determine the size of the construction project, use the size of the entire area to be disturbed, and include the size of the larger common plan of development or sale, if the project is part of a larger project (refer to Part I.B., "Definitions," for an explanation of "common plan of development or sale").
- (*2) Refer to the definitions for "operator," "primary operator," and "secondary operator" in Part I., Section B. of this permit.