



Notice of Intent (NOI) for Discharges from Quarries Located Greater than One Mile from a Water Body Within a Water Quality Protection Area in the John Graves Scenic Riverway under TPDES General Permit (TXG500000)

IMPORTANT:

- Use the [INSTRUCTIONS](#) to fill out each question in this form.
- Use the [CHECKLIST](#) to make certain you filled out all required information. Incomplete applications WILL delay approval or result in automatic denial.
- Once processed your authorization can be viewed at <http://www.tceq.texas.gov/goto/wq-dpa>

APPLICATION FEE:

- You must pay the **\$1,215** Application Fee to TCEQ for the paper application to be complete.
- Payment and the NOI along with the Restoration Plan, the Proof of Financial Assurance for Restoration, and the Pollution Prevention Plan (P3) must be mailed to separate addresses. See instructions for details.
- Did you know you can pay online?
 - Go to <http://www.tceq.texas.gov/goto/epay>
 - Select Fee Type: GENERAL PERMIT WASTEWATER DISCHARGE FROM QUARRIES APPLICATION

- **For verification of payment, provide your payment information below:**

Mailed Check/Money Order No.: _____
 Name Printed on Check: _____
EPAY Voucher No.: _____
 Is the Payment Voucher copy attached? Yes

One (1) copy of the NOI and technical attachments (the Restoration Plan, the Proof of Financial Assurance for Restoration, and the Pollution Prevention Plan (P3)) MUST be submitted with the original NOI and technical attachments.

Is the copy of the NOI and technical documents attached? Yes

**RENEWAL: Is this NOI a Renewal of an existing General Permit Authorization?
(Note: An authorization cannot be renewed after July 07, 2014.)**

Yes The Authorization number is: TXG50 _____

1) OPERATOR (Applicant)

- a) If the applicant is currently a customer with TCEQ, what is the Customer Number (CN) issued to this entity? You may search for your CN at: <http://www.tceq.texas.gov/goto/cr-customer>

CN _____

b) What is the Legal Name of the entity (applicant) applying for this authorization?

(The legal name must be spelled exactly as filed with the Texas Secretary of State, County, or in the legal document forming the entity.)

c) What is the name and title of the person signing the application? The person must be an executive official meeting signatory requirements in 30 TAC §305.44(a).

Prefix (Mr. Ms. Miss): _____

First/Last Name: _____ Suffix: _____

Title: _____ Credential: _____

d) What is the contact information for the Operator Contact (Responsible Authority)? The mailing address must be recognized by the US Postal Service. You may verify the address at: <https://tools.usps.com/go/ZipLookupAction!input.action>

Phone Number: _____ Ext: _____ Fax Number: _____

E-mail: _____

Mailing Address: _____

Internal Routing (Mail Code, Etc.): _____

City: _____ State: _____ ZIP Code: _____

If outside USA: Territory: _____ Country Code: _____ Postal Code: _____

e) Indicate the type of Customer (The instructions will help determine your customer type):

| | | |
|------------------|---------------------|-------------------------|
| Individual | Limited Partnership | Sole Proprietorship-DBA |
| Joint Venture | General Partnership | Corporation |
| Trust | Estate | Federal Government |
| State Government | County Government | City Government |
| Other Government | | |

f) Independent Operator? (If governmental entity, subsidiary, or part of a larger corporation, check "No".) Yes No

g) Number of Employees:

0-20; 21-100; 101-250; 251-500; or 501 or higher

h) Customer Business Tax and Filing Numbers:

(REQUIRED for Corporations and Limited Partnerships. Not required for Individuals, Government, or Sole Proprietors)

State Franchise Tax ID Number: _____

Federal Tax ID: _____

Texas Secretary of State Charter (filing) Number: _____

DUNS Number (if known): _____

2) OWNER (Applicant)

Is the Owner the same as the Operator?

Yes, go to Section 3).

No, complete section below

a) If the applicant is currently a customer with TCEQ, what is the Customer Number (CN) issued to this entity? You may search for your CN at: <http://www.tceq.texas.gov/goto/cr-customer>

CN _____

b) What is the Legal Name of the entity (applicant) applying for this authorization?

(The legal name must be spelled exactly as filed with the Texas Secretary of State, County, or in the legal document forming the entity.)

c) What is the name and title of the person signing the application? The person must be an executive official meeting signatory requirements in 30 TAC §305.44(a).

Prefix (Mr. Ms. Miss): _____

First/Last Name: _____ Suffix: _____

Title: _____ Credential: _____

d) What is the contact information for the Owner Contact (Responsible Authority)? The mailing address must be recognized by the US Postal Service. You may verify the address at:

<https://tools.usps.com/go/ZipLookupAction!input.action>

Phone Number: _____ Ext: _____ Fax Number: _____

E-mail: _____

Mailing Address: _____

Internal Routing (Mail Code, Etc.): _____

City: _____ State: _____ ZIP Code: _____

If outside USA: Territory: _____ Country Code: _____ Postal Code: _____

e) Indicate the type of Customer (The instructions will help determine your customer type):

| | | |
|------------------|---------------------|-------------------------|
| Individual | Limited Partnership | Sole Proprietorship-DBA |
| Joint Venture | General Partnership | Corporation |
| Trust | Estate | Federal Government |
| State Government | County Government | City Government |
| Other Government | | |

f) Independent Owner? (If governmental entity, subsidiary, or part of a larger corporation, check "No".) Yes No

g) Number of Employees:

0-20; 21-100; 101-250; 251-500; or 501 or higher

h) Customer Business Tax and Filing Numbers:

(REQUIRED for Corporations and Limited Partnerships. Not required for Individuals, Government, or Sole Proprietors)

State Franchise Tax ID Number: _____

Federal Tax ID: _____

Texas Secretary of State Charter (filing) Number: _____

DUNS Number (if known): _____

3) ANNUAL BILLING CONTACT

The applicant is responsible for paying the annual fee. The annual fee will be assessed to authorizations active on September 1 of each year. TCEQ will send a bill to the address provided in this section. The applicant is responsible for terminating the authorization when it is no longer needed.

If there is more than one applicant, which applicant will be responsible for paying the annual fee?

Applicant: _____

Is the billing contact and contact information the same as the Operator or the Owner identified on the line above?

Yes, go to Section 4).

No, complete section below

Prefix (Mr. Ms. Miss): _____
First/Last Name: _____ Suffix: _____
Title: _____ Credential: _____
Organization Name: _____
Phone Number: _____ Ext: _____ Fax Number: _____
E-mail: _____
Mailing Address: _____
Internal Routing (Mail Code, Etc.): _____
City: _____ State: _____ ZIP Code: _____
Mailing Information if outside USA:
Territory: _____ Country Code: _____ Postal Code: _____

4) APPLICATION CONTACT

If TCEQ needs additional information regarding this application, who should be contacted?

Is the application contact and contact information the same as the Permittee or the Co-Permittee identified in Section 1) or Section 2) above?

Yes, specify which applicant on the line below and go to Section 5).

No, complete section below

Prefix (Mr. Ms. Miss): _____
First/Last Name: _____ Suffix: _____
Title: _____ Credential: _____
Organization Name: _____
Phone Number: _____ Ext: _____ Fax Number: _____
E-mail: _____
Mailing Address: _____
Internal Routing (Mail Code, Etc.): _____
City: _____ State: _____ ZIP Code: _____
Mailing Information if outside USA:
Territory: _____ Country Code: _____ Postal Code: _____

5) REGULATED ENTITY (RE) INFORMATION ON PROJECT OR SITE

If the site of your business is part of a larger business site or if other businesses were located at this site before yours, a Regulated Entity Number (RN) may already be assigned for the larger site. Use the RN assigned for the larger site. Search TCEQ's Central Registry to see if the larger site may already be registered as a regulated site at: <http://www.tceq.texas.gov/goto/cr-searchrn>

If the site is found, provide the assigned Regulated Entity Reference Number and provide the information for the site to be authorized through this application below. The site information for this authorization may vary from the larger site information.

- a) TCEQ issued RE Reference Number (RN): RN _____
- b) Name of project or site (the name known by the community where located):

- c) In your own words, briefly describe the primary business of the Regulated Entity: (Do not repeat the SIC and NAICS code):

- d) County (or counties if > 1) _____
- e) Latitude: _____ Longitude: _____
- f) Does the site have a physical address?
Yes, complete Section A for a physical address.

No, complete Section B for site location information.

Section A: Enter the physical address for the site.

Verify the address with USPS. If the address is not recognized as a delivery address, provide the address as identified for overnight mail delivery, 911 emergency or other online map tools to confirm an address.

Physical Address of Project or Site:

Street Number: _____ Street Name: _____
City: _____ State: _____ ZIP Code: _____

Section B: Enter the site location information.

If no physical address (Street Number & Street Name), provide a written location access description to the site. (Ex.: located 2 miles west from intersection of Hwy 290 & IH35 accessible on Hwy 290 South)

City where the site is located or, if not in a city, what is the nearest city:

State: _____ ZIP Code where the site is located: _____

6) GENERAL CHARACTERISTICS

- a) Is the project/site located on Indian Country Lands?
Yes – If the answer is Yes, you must obtain authorization through EPA, Region 6.

No
- b) The Standard Industrial Classification (SIC) Code is: _____
- c) Technical attachments
1. I certify that the Restoration Plan is attached to this NOI and has been developed according to the provisions of this general permit TXG500000.
Yes

2. I certify that the Proof of Financial Assurance for Restoration is attached to this NOI and has been developed according to the provisions of this general permit TXG500000.
Yes

3. I certify that the Pollution Prevention Plan (P3) is attached to this NOI and has been developed according to the provisions of this general permit TXG500000.
Yes

d) Discharge Information

1. What is the **name** of the first water body to receive the discharge?

2. What is the **segment number(s)** of the classified water body (ies) that the discharge will eventually reach?

3. Provide a complete description of the discharge route from each outfall to the nearest classified segment:

e) Contact Responsible for Discharge Monitoring Reports (DMRs) (EPA 3320-1)

Provide the name of the person and their complete mailing address delegated to receive and submit Discharge Monitoring Report Forms.

Prefix (Mr. Ms. Miss): _____

First/Last Name: _____ Suffix: _____

Title: _____ Credential: _____

Organization Name: _____

Phone Number: _____ Ext: _____ Fax Number: _____

E-mail: _____

Mailing Address: _____

Internal Routing (Mail Code, Etc.): _____

City: _____ State: _____ ZIP Code: _____

Mailing Information if outside USA:

Territory: _____ Country Code: _____ Postal Code: _____

Discharge Monitoring Report Forms may be requested at: dmr_rqst@tceq.texas.gov



Did you know you can submit DMR data online?

Sign up now at <http://www.texasNetDMR.org>

Establish an electronic reporting account when you get your authorization number.

7) CERTIFICATION

Check Yes to the certifications below. Failure to indicate Yes to **ALL** items may result in denial of coverage under the general permit.

- a) I certify that I have obtained a copy and understand the terms and conditions of the general permit TXG500000. Yes
- b) I certify that the activities at this site qualify for coverage under the general permit TXG500000. Yes
- c) I understand that a notice of termination letter and a Final Stabilization Report must be submitted when this authorization is no longer needed, and that the conditions of the general permit TXG500000 must continue to be met until TCEQ terminates authorization. Yes
- d) I understand that authorizations active on September 1st of each year will be assessed an Annual Water Quality Fee. Yes
- e) I understand that authorization under this general permit must submit the self-report from (EPA Form 3320-1) monthly and that is due by the 20th day of the following month for each discharge that is described by this permit whether or not a discharge is made for the month. If noncompliance with a discharge limitation occurs, the permittee shall provide notification according to Part IX.D.7. Yes

Operator Certification:

Two signatures are required if Owner and Operator are different entities.

I, _____
Typed or printed name *Title*

certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

I further certify that I am authorized under **30 Texas Administrative Code §305.44** to sign and submit this document, and can provide documentation in proof of such authorization upon request.

Signature: _____ Date: _____
(Use blue ink)

Owner Certification:

Two signatures are required if Owner and Operator are different entities

I, _____
Typed or printed name *Title*

certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

I further certify that I am authorized under **30 Texas Administrative Code §305.44** to sign and submit this document, and can provide documentation in proof of such authorization upon request.

Signature: _____ Date: _____
(Use blue ink)

CUSTOMER GP NOTICE OF INTENT CHECKLIST

TXG500000

- Did you complete everything? Use this checklist to be sure!
- Are you ready to mail your form to TCEQ? Go to the General Information Section of the Instructions for mailing addresses.

This checklist is for use by the operator and/or owner to ensure a complete application. Missing information may result in denial of coverage under the general permit. (See Instructions)

A copy of the original NOI and Technical documents are attached to the original NOI and Technical documents

Application Fee:

If paying by Check:

Check was mailed **separately** to the TCEQs Cashier's Office. (See Instructions for Cashier's address and Application address.)

Check number and name on check is provided in this application.

If using ePay:

The voucher number is provided in this application or a copy of the voucher is attached.

Authorization Number:

Authorization number provided - if this application is for a renewal of an existing authorization.

OPERATOR AND OWNER INFORMATION - Confirm each item is complete:

Customer Number (CN) issued by TCEQ Central Registry

Legal name as filed to do business in Texas (Call TX SOS 512/463-5555)

Name and title of responsible authority signing the application

Mailing address is complete & verifiable with USPS. www.usps.com

Phone numbers/e-mail address

Type of operator (entity type)

Independent operator

Number of employees

For corporations or limited partnerships – Tax ID and SOS filing numbers

Billing contact and address is complete & verifiable with USPS. www.usps.com

Application contact and address is complete & verifiable with USPS. www.usps.com

REGULATED ENTITY (RE) INFORMATION - Confirm each item is complete:

Regulated Entity Reference Number (RN) (if site is already regulated by TCEQ)

Site/Project name/Regulated entity name

Latitude and longitude <http://tceq4apmgwebp1.tceq.texas.gov:8080/segments/default.htm>

County

Site/project (RE) physical address. Please do not use a rural route or post office box

Business description

GENERAL CHARACTERISTICS - Confirm each item is complete:

Indian Country Lands – the facility is not on Indian Country Lands

Standard Industrial Classification (SIC) Code www.osha.gov/oshstats/sicser.html

Technical attachments (Restoration Plan, Proof of Financial Assurance for Restoration, Pollution Prevention Plan (P3))

Discharge information

DMR contact information

CERTIFICATION

Certification statements have been checked indicating "Yes"

Signature meets **30 Texas Administrative Code (TAC) §305.44** and is original and has been provided for both Owner and Operator, if they are different entities. Only one signature is required if the entity is both owner and operator.

**Notice of Intent (NOI) for Discharges from Quarries Located
Greater than One Mile from a Water Body Within a Water Quality
Protection Area in the John Graves Scenic Riverway under TPDES
General Permit TXG500000
General Information and Instructions**

GENERAL INFORMATION

Where to Send the Notice of Intent (NOI) and Technical Attachments (Restoration Plan, Proof of Financial Assurance of Restoration, and Pollution Prevention Plan, or P3):

NOTE: One (1) copy of the NOI and technical attachments must be submitted with the original NOI and technical attachments.

BY REGULAR U.S. MAIL:

Texas Commission on Environmental Quality
Applications Review and Processing Team
(MC-148)
P.O. Box 13087
Austin, Texas 78711-3087

BY OVERNIGHT/EXPRESS MAIL:

Texas Commission on Environmental Quality
Applications Review and Processing Team
(MC-148)
12100 Park 35 Circle
Austin, TX 78753

TCEQ Contact List:

| | |
|--|------------------------------|
| Small Business and Local Government Assistance | 800/447-2827 |
| Application – status and form questions: | 512/239-4671 |
| Technical questions: | 512/239-4671 |
| Environmental Law Division: | 512/239-0600 |
| Records Management - obtain copies of forms: | 512/239-0900 |
| Reports from databases (as available): | 512/239-DATA (3282) |
| Cashier's office: | 512/239-0357 or 512/239-0187 |

Notice of Intent Process:

When your NOI and technical attachments are received by the program, the form will be processed as follows:

- 1) **Administrative Review:** Each item on the form will be reviewed for a complete response. In addition, the operator's legal name must be verified with Texas Secretary of State as valid and active (if applicable). The address(s) on the form must be verified with the US Postal service as receiving regular mail delivery. Never give an overnight/express mailing address.

An application will not be declared administratively complete or approved if delinquent fees and/or penalties of \$25 or more are owed to the TCEQ. All such fees must be paid prior to approval of the NOI.

- 2) **Notice of Deficiency:** If an item is incomplete or not verifiable as indicated above, a notice of deficiency (NOD) will be mailed to the operator. The operator will have 30 days to respond to the NOD. The response will be reviewed for completeness.
- 3) **Technical Review of Restoration Plan, Financial Assurance of Restoration, and P3:** More information may be requested by phone or a technical NOD letter may be mailed to the technical contact listed on the NOI.

- 4) **Acknowledgment of Coverage:** An Acknowledgment Certificate will be mailed to the operator. This certificate acknowledges coverage under the general permit.

-or-

Denial of Coverage: If the operator fails to respond to the NOD or the response is inadequate, coverage under the general permit may be denied. If coverage is denied, the operator will be notified.

General Permit TXG500000

Coverage under the general permit begins upon approval of the Notice of Intent (NOI), Restoration Plan, Proof of Financial Assurance for Restoration, and Pollution Prevention Plan (P3) by the TCEQ. The TCEQ will send the applicant the final authorization to operate a quarry in the John Graves Scenic Riverway. **Operation of a new quarry cannot begin until final authorization has been received.** You must have a copy of the TXG500000 general permit when submitting your application. You may view and print the general permit for which you are seeking coverage on the TCEQ web site <http://www.tceq.texas.gov>. Search using key word TXG500000.

General Permit Forms

The NOI, with instructions is available in Adobe Acrobat PDF format on the TCEQ web site <http://www.tceq.texas.gov>.

Change in Operator or Owner

An authorization under the general permit is not transferable. If the owner or operator of the regulated entity changes, the present permittee shall submit a NOT letter and the new owner and operator shall submit a NOI along with the documents required in Part III Section D.1 (a) of the General Permit TXG500000. The NOT letter and the NOI along with the other required documents must be submitted concurrently and no later than 10 days prior to the change in owner or operator status.

TCEQ Central Registry Core Data Form

The Core Data Form has been incorporated into this form. **Do not send a core data form to TCEQ.** After final acknowledgment of coverage under the general permit, the program will assign a Customer Number and Regulated Entity Number.

You can find the information on the Central Registry web site at <http://www.tceq.texas.gov/goto/cr-customer>. You can search by the Regulated Entity (RN), Customer Number (CN) or Name (Permittee), or by your authorization number under the search field labeled Additional ID. Capitalize all letters in the authorization number.

The Customer (Permittee) is responsible for providing consistent information to the TCEQ, and for updating all CN and RN data for all authorizations as changes occur. For general permits TXG500000, a notice of change letter must be submitted to the program area.

Fees associated with a General Permit

The general permit refers to two different fees that apply to the applicant submitting Notice of Intent (NOI) and authorized under the general permit. Payment of the fees may be made by check or money order, payable to TCEQ, or through EPAY (electronic payment through the web).

Application Fee: This fee is required to be paid at the time the NOI is submitted. Failure to submit payment at the time the application is filed will cause delays in acknowledgment or denial of coverage under the general permit. The application fee for this authorization is \$1,215.

Mailed Payments:

Payment must be mailed under separate cover at one of the addresses below using the attached Application Fee submittal form. (DO NOT SEND A COPY OF THE NOI WITH THE APPLICATION FEE SUBMITTAL FORM)

BY REGULAR U.S. MAIL:

Texas Commission on Environmental Quality
Financial Administration Division
Cashier's Office, MC-214
P.O. Box 13088
Austin, TX 78711-3088

BY OVERNIGHT/EXPRESS MAIL:

Texas Commission on Environmental Quality
Financial Administration Division
Cashier's Office, MC-214
12100 Park 35 Circle
Austin, TX 78753

ePAY Electronic Payment: <http://www.tceq.texas.gov/goto/epay>

When making the payment you must select Water Quality, and then select the fee category "General Permit Wastewater Discharge From Quarries Application". You must include a copy of the payment voucher with your NOI. Your NOI will not be considered complete without the payment voucher.

Annual Water Quality Fee: This fee is assessed to permittees with an active authorization under the general permit on September 1 of each year. The designated billing contact will receive an invoice for payment of the annual fee in November of each year. The payment will be due 30 days from the invoice date. A 5% penalty will be assessed if the payment is received by TCEQ after the due date. Annual fee assessments cannot be waived as long as the authorization under the general permit is active on September 1.

Terminating Coverage:

The permittee is required to submit a NOT letter when coverage under the general permit is no longer required.

1. Permittees seeking to terminate their authorization under this general permit shall submit:
 - (a) A notice of termination letter.
 - (b) The Stabilization Report, in accordance with the requirements in Part VIII of general permit TXG500000
2. Following review of the NOT letter and Stabilization Report the executive director may determine that:
 - (a) the submission is complete and acknowledge termination by providing a notification;
 - (b) the NOT and Stabilization Report are complete, but a site visit is necessary to confirm stabilization prior to confirming termination and providing notification;
 - (c) the NOT and Stabilization Report are incomplete and send a notice of deficiency to obtain additional information; or
 - (d) deny termination.
3. The permittee shall continue to meet the requirements of this general permit until authorization under the general permit is terminated by TCEQ.

Financial assurance for restoration must be maintained until the executive director provides notification

Mailed Payments:

You must return your payment with the payment coupon provided in the billing statement.

ePAY Electronic Payment:

Go to <http://www.tceq.texas.gov/goto/epay>

You must enter your account number provided at the top portion of your billing statement. Payment methods include MasterCard, Visa, and electronic check payment (ACH).

INSTRUCTIONS FOR FILLING OUT THE NOI FORM

Renewal of General Permit Authorizations: Operators of existing quarries authorized under TPDES John Graves Scenic Riverway General Permit TXG50000 (effective on December 15, 2008), must submit a NOI, Restoration Plan, Proof of Financial Assurance for Restoration, and Pollution Prevention Plan (P3) to renew authorization or a NOT letter and stabilization report to terminate coverage under the previous general permit within 90 days of the effective date of this general permit. During this interim period, as a requirement of this TPDES permit, the operator must continue to meet the conditions and requirements of the previous general permit.

1. and 2. Operator and Owner (Applicant)

a) Enter assigned Customer Number (CN)

TCEQ's Central Registry will assign each customer a number that begins with CN, followed by nine digits. **This is not an authorization number, registration number, or license number.**

If this customer has not been assigned a CN, leave the space for the CN blank.

If this customer has already been assigned this number, enter the permittee's CN.

b) Legal Name

Provide the current legal name of the permittee, as authorized to do business in Texas. The name must be provided exactly as filed with the Texas Secretary of State (SOS), or on other legal documents forming the entity, that is filed in the county where doing business. You may contact the SOS at 512/463-5555, for more information related to filing in Texas. If filed in the county where doing business, provide a copy of the legal documents showing the legal name.

c) Person Signing Application

Provide the first and last name, and the title of the person signing the Certification section of the application. This person must be an individual having signatory authority in accordance with 30 TAC Chapter §305.44. This person is also referred to as the Responsible Authority.

d) Contact Information for the Operator/Owner Contact (Responsible Authority)

Provide a complete mailing address for receiving mail from the TCEQ regarding this authorization. The address must be verifiable with the US Postal Service at <http://www.usps.com> for regular mail delivery (not overnight express mail). If you find that the address is not verifiable using the USPS web search, please indicate the address is used by the USPS for regular mail delivery.

The area code and phone number should provide contact to the permittee. Leave Extension blank if not applicable.

The fax number and e-mail address are optional and should correspond to the applicant.

e) Type of Customer (Entity Type)

Check only one box that identifies the type of entity. Use the descriptions below to identify the appropriate entity type. Note that the selected entity type also indicates the name that must be provided as an applicant for a permit, registration or authorization.

Sole Proprietorship – DBA

A sole proprietorship is a customer that is owned by only one person and has not been incorporated. This business may:

- be under the person's name
- have its own name (doing business as or d.b.a.)
- have any number of employees

If the customer is a Sole Proprietorship or DBA, the 'legal name' of the individual business 'owner' must be provided. The DBA name is not recognized as the 'legal name' of the entity. The DBA name may be used for the site name (regulated entity).

Individual (or DBA)

An individual is a customer who has not established a business, but conducts an activity that needs to be regulated by the TCEQ.

Partnership

- A customer that is established as a partnership as defined by the Texas Secretary of State Office (TX SOS). A Limited Partnership or Limited Liability Partnership (Partnership) is required to file with the Texas Secretary of State. A General Partnership or Joint Venture is not required to register with the state.
- **Partnership (Limited Partnership or Limited Liability Partnership):** A limited partnership is defined in the Act as a partnership formed by two or more persons under the provisions of Section 3 of the Uniform Limited Partnership Act (Art. 6132a, Revised Civil Statutes of Texas) and having as members one or more general partners and one or more limited partners. The limited partners as such are not bound by the obligations of the partnership. Limited partners may not take part in the day-to-day operations of the business. A Limited Partnership must file with the Texas Secretary of State. A registered limited liability partnership is a general or limited partnership that is registered with the Texas Secretary of State. The partnership's name must contain the words "Registered Limited Liability Partnership" or the abbreviation "L.L.P." as the last words or letters of its name.
- **General Partnership:** A general partner may or may not invest, participates in running the partnership and is liable for all acts and debts of the partnership and any member of it. A General Partnership does not have limited partners. For a General Partnership, there is no registration with the state or even written agreement necessary for a general partnership to be formed. The legal definition of a partnership is generally stated as "an association of two or more persons to carry on as co-owners a business for profit" (Revised Uniform Partnership Act § 101 [1994]).
- **Joint Venture:** A joint venture is but another name for a special partnership. It might be distinguished from a general partnership in that the latter is formed for the transaction of a general business, while a joint venture is usually limited to a single transaction. That is, a joint venture is a special combination of persons in the nature of a partnership engaged in the joint prosecution of a particular transaction for mutual benefit or profit.

Corporation

A customer meets all of these conditions:

- is a legally incorporated entity under the laws of any state or country

- is recognized as a corporation by the Texas Secretary of State
- has proper operating authority to operate in Texas.
- The corporation's 'legal name' as filed with the Texas Secretary of State must be provided as applicant. An 'assumed' name of a corporation is not recognized as the 'legal name' of the entity.

Trust or Estate

A trust and an estate are fiduciary relationships governing the trustee/executor with respect to the trust/estate property.

Government

Federal, state, county, or city government (as appropriate)

The customer is either an agency of one of these levels of government or the governmental body itself. The government agency's 'legal name' must be provided as the applicant. A department name or other description of the organization should not be included as a part of the 'legal name' as applicant.

Other Government

A utility district, water district, tribal government, college district, council of governments, or river authority. Write in the specific type of government.

f) Independent Operator or Owner

Check No if this customer is a subsidiary, part of a larger company, or is a governmental entity. Otherwise, check Yes.

g) Number of Employees

Check one box to show the number of employees for this customer's entire company, at all locations. This is not necessarily the number of employees at the site named in the application.

h) Customer Business Tax and Filing Numbers

These are required for Corporations and Limited Partnerships. These are not required for Individuals, Government, and Sole Proprietors.

State Franchise Tax ID Number

Corporations and limited liability companies that operate in Texas are issued a franchise tax identification number. If this customer is a corporation or limited liability company, enter this number here.

Federal Tax ID

All businesses, except for some small sole proprietors, individuals, or general partnerships should have a federal taxpayer identification number (TIN). Enter this number here. Use no prefixes, dashes, or hyphens. Sole proprietors, individuals, or general partnerships do not need to provide a federal tax ID.

TX SOS Charter (filing) Number

Corporations and Limited Partnerships required to register with the Texas Secretary of State are issued a charter or filing number. You may obtain further information by calling SOS at 512/463-5555.

DUNS Number

Most businesses have a DUNS (Data Universal Numbering System) number issued by Dun and Bradstreet Corp. If this customer has one, enter it here.

3. ANNUAL BILLING CONTACT

An annual fee is assessed to permittees with an active authorization on September 1 of each year.

If the authorization includes co-permittees, identify the permittee responsible for receiving and paying the annual fee.

Provide the complete mailing address where the annual fee invoice should be mailed. Verify the address with the USPS. It must be an address for delivery of regular mail, not overnight express mail. Also, provide a phone number of the permittee's representative responsible for payment of the invoice.

If this address is outside the United States, enter the territory name, country code, and any non-ZIP mailing codes or other non-U.S. Postal Service features here. If this address is inside the United States, leave these spaces blank.

4. APPLICATION CONTACT

Provide the name, title, and contact information of the person that TCEQ can contact for additional information regarding this application. This contact may be a consultant or entity other than the applicant.

5. REGULATED ENTITY (RE) INFORMATION ON PROJECT OR SITE

a) Regulated Entity Name

A number issued by TCEQ's Central Registry to sites (a location where a regulated activity occurs) regulated by TCEQ. This is not an authorization number, registration number, or license number. If this regulated entity has not been assigned an RN, leave this space blank.

If the site of your business is part of a larger business site, a Regulated Entity Number (RN) may already be assigned for the larger site. Use the RN assigned for the larger site. Search TCEQ's Central Registry to see if the larger site may already be registered as a regulated site at:

<http://www.tceq.texas.gov/goto/cr-searchrn>

If the site is found, provide the assigned Regulated Entity Reference Number (RN) and provide the information for the site to be authorized through this application. The site information for this authorization may vary from the larger site information.

An example is a chemical plant where a unit is owned or operated by a separate corporation that is accessible by the same physical address of your unit or facility. Other examples include industrial parks identified by one common address but different corporations have control of defined areas within the site. In both cases, an RN would be assigned for the physical address location and the permitted sites would be identified separately under the same RN.

b) Site/Project Name/Regulated Entity

Provide the name of the site as known by the public in the area where the site is located. The name you provide on this application will be used in the TCEQ Central Registry as the Regulated Entity name.

c) Description of Activity Regulated

In your own words, briefly describe the primary business that you are doing that requires this authorization. Do not repeat the SIC Code description.

d) County

Identify the county or counties in which the regulated entity is located.

e) Latitude and Longitude

Enter the latitude and longitude of the site in degrees, minutes, and seconds or decimal form. For help obtaining the latitude and longitude, go to:

<http://tceq4apmgwebp1.tceq.texas.gov:8080/segments/default.htm>

f) Site/Project (RE) Physical Address/Location Information

Provide the physical address or location information for the site.

• **Section A - Enter the physical address for the site.**

Enter the complete address for the site. Please verify the address at <https://tools.usps.com/go/ZipLookupAction!input.action>. If the physical address is not recognized as a USPS delivery address, you may need to validate the address with your local law enforcement authorities (911 service) or through an online map site used to locate a site. Please confirm this to be a complete and valid address. Do not use a rural route or post office box for a site location.

• **Section B - Enter the site location information.**

If there is no physical address (street number and street name), enter NO ADDRESS for the street name in Section A. In Section B provide a complete written location access description. For example: "The site is located 2 miles west from intersection of Hwy 290 & IH35, located on the southwest corner of the Hwy 290 South bound lane." Provide the city (or nearest city) and ZIP code of the facility location.

6. GENERAL CHARACTERISTICS

a) Indian Country Lands

If your site is located on Indian Country Lands, the TCEQ does not have authority to process your application. You must obtain authorization through EPA, Region 6, Dallas. Do not submit this form to TCEQ.

b) Standard Industrial Classification (SIC) Code

Provide the SIC Code that best describes the activity at the site. For help with SIC Codes, go to: <http://www.osha.gov/oshstats/sicser.html>

Some common SIC codes are provided below:

- 1411, Dimension Stone
- 1422, Crushed and Broken Limestone
- 1429, Crushed and Broken Stone, Not Elsewhere Classified
- 1442, Construction Sand
- 1446, Industrial Sand

c) Technical Attachments

These attachments must be prepared and attached to the NOI that is submitted to TCEQ.

1. Restoration Plan

This plan identifies how the applicant will restore the receiving waters to background concentrations in the event of an unauthorized discharge that affects those receiving waters. The requirements of this plan are included in Part III of the general permit TXG500000.

2. Proof of Financial Assurance for Restoration

Financial assurance must be established and maintained in accordance with TCEQ rules at 30 TAC Chapter 37. The requirements related to submitting proof of

financial assurance for restoration are included in Part IV of the general permit TXG500000.

3. Pollution Prevention Plan (P3)

The P3 must address the entire quarry, and must include information such as pollution prevention team, a detailed description of potential pollutant sources, a description of measures and controls that will regulate pollutants, a description of erosion and sediment controls that will be used, inspections and compliance evaluations, an indication of how the general permit conditions, including effluent limits, will be met; as well as additional contents. The specific requirements of the P3 are included in Part V of the general permit TXG500000.

d) Discharge Information

1. Identify the water body where the discharge or potential discharge will reach.
2. Identify the classified segment number (required). Go to the link below to find the segment number of the classified water body where potential runoff would flow: www.tceq.texas.gov/publications/gi/gi-316
3. Provide a complete description of the discharge route from the point(s) of discharge to the nearest classified segment. For assistance, you may call the technical staff at 512/239-4671.

4. DMR Contact

Provide the name and mailing address of the person responsible for receiving and submitting DMRs. The preprinted DMRs will be provided by the TCEQ Enforcement Division unless you chose to submit electronically.

Discharge Monitoring Report Forms may be requested at: dmr_rqst@tceq.texas.gov



Submit DMR data online

Sign up now at <http://www.texasNetDMR.org>

Establish an electronic reporting account when you get your authorization number.

7. CERTIFICATION

Failure to indicate **Yes** to ALL of the certification items may result in denial of coverage under the general permit.

The certification must bear an original signature of a person meeting the signatory requirements specified under 30 Texas Administrative Code (TAC) §305.44.

IF YOU ARE A CORPORATION:

The regulation that controls who may sign an NOI or similar form is 30 Texas Administrative Code §305.44(a)(1) (see below). According to this code provision, any corporate representative may sign an NOI or similar form so long as the authority to sign such a document has been delegated to that person in accordance with corporate procedures. By signing the NOI or similar form, you are certifying that such authority has been delegated to you. The TCEQ may request documentation evidencing such authority.

IF YOU ARE A MUNICIPALITY OR OTHER GOVERNMENT ENTITY:

The regulation that controls who may sign an NOI or similar form is 30 Texas Administrative Code §305.44(a)(3) (see below). According to this code provision, only a ranking elected official

or principal executive officer may sign an NOI or similar form. Persons such as the City Mayor or County Commissioner will be considered ranking elected officials. In order to identify the principal executive officer of your government entity, it may be beneficial to consult your city charter, county or city ordinances, or the Texas statute(s) under which your government entity was formed. An NOI or similar document that is signed by a government official who is not a ranking elected official or principal executive officer does not conform to §305.44(a)(3). The signatory requirement may not be delegated to a government representative other than those identified in the regulation. By signing the NOI or similar form, you are certifying that you are either a ranking elected official or principal executive officer as required by the administrative code. Documentation demonstrating your position as a ranking elected official or principal executive officer may be requested by the TCEQ.

If you have any questions or need additional information concerning the signatory requirements discussed above, please contact the Texas Commission on Environmental Quality's Environmental Law Division at 512/239-0600.

30 Texas Administrative Code

§305.44. Signatories to Applications

(a) All applications shall be signed as follows.

(1) For a corporation, the application shall be signed by a responsible corporate officer. For purposes of this paragraph, a responsible corporate officer means a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures. Corporate procedures governing authority to sign permit or post-closure order applications may provide for assignment or delegation to applicable corporate positions rather than to specific individuals.

(2) For a partnership or sole proprietorship, the application shall be signed by a general partner or the proprietor, respectively.

(3) For a municipality, state, federal, or other public agency, the application shall be signed by either a principal executive officer or a ranking elected official. For purposes of this paragraph, a principal executive officer of a federal agency includes the chief executive officer of the agency, or a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., regional administrator of the EPA).

Texas Commission on Environmental Quality General Permit Payment Submittal Form

Use this form to submit your Application Fee only if you are mailing your payment.

- Complete items 1 through 5 below:
- Staple your check in the space provided at the bottom of this document.
- Do not mail this form with your NOI form.
- Do not mail this form to the same address as your NOI.

Mail this form and your check to:

BY REGULAR U.S. MAIL:

Texas Commission on Environmental Quality
Financial Administration Division
Cashier's Office, MC-214
P.O. Box 13088
Austin, TX 78711-3088

BY OVERNIGHT/EXPRESS MAIL:

Texas Commission on Environmental Quality
Financial Administration Division
Cashier's Office, MC-214
12100 Park 35 Circle
Austin, TX 78753

Fee Code: GPA

General Permit:

TXG500000

1. Check / Money Order No: _____
2. Amount of Check/Money Order: _____
3. Date of Check or Money Order: _____
4. Name on Check or Money Order: _____

5. NOI INFORMATION

If the check is for more than one NOI, list each Project/Site (RE) Name and Physical Address exactly as provided on the NOI. DO NOT SUBMIT A COPY OF THE NOI WITH THIS FORM AS IT COULD CAUSE DUPLICATE PERMIT/AUTHORIZATION ENTRIES. See Attached List of Sites (If more space is needed, you may attach a list.)

Project/Site (RE) Name: _____

Project/Site (RE) Physical Address:

Staple Check in This Space