Notice of Termination (NOT) for Authorizations under TPDES General Permit TXG340000

TCEQ Office Use Only
Permit No.:
RN:
CN:

What is the permit number to be terminated?
Processing will be delayed without the permit number. TXG34_____

A. OPERATOR (permittee)

1. What is the Customer Number (CN) issued to this entity? **CN**_____

2. What is the full Legal Name of the current permittee?

This must be the current permittee of the permit to be terminated.

3. What is the applicant's mailing address as recognized by the **US Postal Service**?

Address:	Suite No./Bldg. No./Mail Code:	
City:	State:	ZIP Code:
Country Mailing Information (if outside USA).	Country Code:	Postal Code:

4. Phone No.: ( )	Extension:
5. Fax No.: ( )	E-mail Address:

B. OWNER (permittee)

Is the Owner the same entity as the Operator? ☐ Yes – go to section C ☐ No – fill out section B

1. What is the Customer Number (CN) issued to this entity? **CN**

2. What is the full Legal Name of the current permittee?

This must be the current permittee of the permit to be terminated.

3. What is the applicant's mailing address as recognized by the **US Postal Service**?

Address:	Suite No./Bldg. No./Mail Code:	
City:	State:	ZIP Code:
Country Mailing Information (if outside USA).	Country Code:	Postal Code:

4. Phone No.: ( )	Extension:
5. Fax No.: ( )	E-mail Address:

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

1. What is the TCEQ Issued RE Reference Number (RN)? **RN** _____

2. Name of Project or Site (the name as known by the community where this facility/project is located):

3. Physical Address of Project or Site as currently permitted: (enter in spaces below)

Street Number:	Street Name:	
City:	ZIP Code:	County (Counties if >1):

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

D. REASON FOR TERMINATION

Check the reason for termination:

- ☐ The facility is now under control of a new Operator or Owner.
- ☐ The discharge is now authorized under an alternate TPDES permit.
- ☐ There is no longer any activity or the activity never began at this site that is regulated under the general permit.
- ☐ There is no longer a discharge associated with the authorized activity.

Operator Certification (Only 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 (Only 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)

Notice of Termination (NOT) for Authorizations under TPDES General Permit TXG340000 General Information and Instructions

GENERAL INFORMATION

Where to Send the Notice of Termination (NOT):

BY REGULAR U.S. MAIL
Texas Commission on Environmental Quality
Applications Review & Processing Team (MC146)
P.O. Box 13087
Austin, Texas 78711-3087

BY OVERNIGHT/EXPRESS MAIL
Texas Commission on Environmental Quality
Applications Review & Processing Team (MC146)
12100 Park 35 Circle
Austin, TX 78753

TCEQ Contact list:

Application Processing Questions relating to the status and form requirements:	512/239-4671
Technical Questions relating to the general permit:	512/239-4671
Environmental Law Division:	512/239-0600
Records Management for obtaining copies of forms submitted to TCEQ:	512/239-0900
Information Services for obtaining reports from program data bases (as available):	512/239-DATA (3282)
Financial Administration's Cashier's office:	512/239-0357 or 512/239-0187

Notice of Termination Process:
A Notice of Termination is **effective on the date postmarked for delivery to TCEQ.**
When your NOT is received by the program, the form will be processed as follows:

1. **Administrative Review:** The form will be reviewed to confirm the following:
   - the permit number is provided
   - the permit is active and has been approved
   - the entity terminating the permit is the current permittee
   - the site information matches the original permit record
   - the form has the required original signature with title and date

2. **Notice of Deficiency:** If an item is incomplete or not verifiable as indicated above, a phone call will be made to the applicant to clear the deficiency. A letter will not be sent to the permittee if unable to process the form.

3. **Confirmation of Termination:** A Notice of Termination Confirmation letter will be mailed to the operator.

General Permit (Your Permit)
Coverage under the general permit begins **48 hours after a completed NOI is postmarked for delivery to** the TCEQ. You should have a copy of your general permit when submitting your application. You may view and print your permit for which you are seeking coverage, on the TCEQ web site www.tceq.texas.gov

General Permit Forms
The Notice of Intent (NOI), Notice of Termination (NOT), and Notice of Change (NOC) with instructions are available in Adobe Acrobat PDF format on the TCEQ web site www.tceq.texas.gov.

Change in Operator or Owner
An authorization under the general permit is not transferable. If the operator or owner of the regulated entity changes, the present permittee must submit a Notice of Termination and the new operator or owner must submit a Notice of Intent. The NOT and NOI must be submitted not later than 10 days prior to the change in Operator or Owner 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 www12.tceq.texas.gov/crpub/ You can search by the Regulated Entity (RN), Customer Number (CN) or Name (Permittee), or by your permit number under the search field labeled "Additional ID". Capitalize all letters in the permit number.

The Customer (Permittee) is responsible for providing consistent information to the TCEQ, and for updating all CN and RN data for all authorzations as changes occur. For General Permits, a Notice of Change form must be submitted to the program area.

Annual Water Quality Fee: This fee is assessed to operators with an active authorization under the general permit on September 1 of each year. The operator 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.

It's important for the operator to submit a **Notice of Termination** (NOT) when coverage under the general permit is no longer required. A NOT is effective on the postmarked date of mailing the form to TCEQ. It is recommended that the NOT be mailed using a method that documents the date mailed and received by TCEQ.

- Mailed Payments:

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

- ePAY Electronic Payment:

Go to https://www6.tceq.texas.gov/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). A transaction over $500 can only be made by ACH.

INSTRUCTIONS FOR FILLING OUT THE NOT FORM

A. OPERATOR and B. OWNER (As defined in the general permit.)

1. TCEQ Issued Customer Number (CN)

2. Legal Name of Operator
The operator must be the same entity as previously submitted on the original Notice of Intent for the permit number provided.

3. Operator Mailing Address
Provide a complete mailing address for receiving mail from the TCEQ. Update the address if different than previously submitted in the Notice of Intent or Notice of Change.

4. Phone Number, Fax Number, and E-mail Address
Provide updated contact information.

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

1. Regulated Entity Reference Number (RN)

2. Site/Project Name/Regulated Entity
Provide the name of the site as previously submitted in the Notice of Intent for the permit number provided.

3. Site/Project (RE) Physical Address
Provide the physical address or location access description as previously submitted for the permit number provided.

D. REASON FOR TERMINATION

Indicate the reason for terminating the permit by checking one of the options. If the reason is not listed then provide an attachment that explains the reason for termination.

Please read your general permit carefully to determine when to terminate your permit. Permits will not be reactivated after submitting a termination form. The termination is effective on the date postmarked for delivery to TCEQ.

CERTIFICATIONS

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).