



TCEQ Notice of Termination (NOT) for Authorizations or Waivers under TPDES Phase II MS4 General Permit (TXR040000)

What is the authorization or waiver number to be terminated? Processing will be delayed without the authorization or waiver number.

TXR04_____ or TXRMW_____

1) OPERATOR (permittee)

a) What is the Customer Number (CN) issued to this entity? You may search for your CN at: <http://www12.tceq.texas.gov/crpub/index.cfm?fuseaction=cust.CustSearch>

CN_____

b) What is the Legal Name of the current permittee?

(This must be the current permittee of the authorization or waiver to be terminated.)

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: _____

2) APPLICATION CONTACT

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

Prefix (Mr. Ms. Miss): _____

First/Last Name: _____ Suffix: _____

Title: _____ Credential: _____

Organization Name: _____

Phone Number: _____ Extension: _____ Fax Number: _____

E-mail Address: _____

Mailing Address: _____
Internal Routing (Mail Code, Etc.): _____
City: _____ State: _____ ZIP Code: _____
Mailing Information if outside USA:
Territory: _____ Country Code: _____ Postal Code: _____

3) REGULATED ENTITY (RE) INFORMATION

a) TCEQ issued RE Reference Number (RN):

RN _____

b) Name that is used to identify the small MS4:

c) Provide a brief description of the regulated MS4 boundaries:
(Example: Area within the City of XXXX limits that is located within the xxx (e.g. Dallas) urbanized area.)

City _____ State: _____

d) What is the county where the largest residential population exists within the regulated MS4 boundaries?

Is the MS4 located within additional counties?

Yes – If Yes, what county (or counties)?

No

e) Latitude: _____ Longitude: _____

4) REASON FOR TERMINATION

Check the reason for termination:

Another permitted Operator has assumed control over all areas of the small MS4 that are regulated under this general permit. The new operator has either submitted an NOI or updated their NOI to include the new regulated area.

What is the name of the new Operator or permit number of existing NOI to be updated?

The activity is now authorized under an alternative TPDES permit or obtained a Waiver.

What is the TPDES Permit or Waiver number?

5) CERTIFICATION

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 or Waivers under the TPDES Phase II MS4 General Permit (TXR040000)

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 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 Termination Process:

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 authorization or waiver number is provided
 - the authorization or waiver 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 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 <http://www.tceq.texas.gov>.

Change in Operator

An authorization under the general permit is not transferable. If the operator of the regulated entity changes, the present permittee must submit a Notice of Termination and the new operator must submit a Notice of Intent. The NOT and NOI must be submitted not later than 10 days prior to the change in 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 or waiver 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://www12.tceq.texas.gov/crpub/index.cfm>. 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 authorizations 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 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.

It is important for the permittees 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.

INSTRUCTIONS FOR FILLING OUT THE NOT FORM

1. OPERATOR (CURRENT PERMITTEE)

a) Enter assigned Customer Number (CN)

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

b) Legal Name of Operator

The operator must be the same entity as previously submitted on the original Notice of Intent or Waiver for the authorization or waiver number provided.

c) Person Signing Application

Please provide information for the person signing the NOT application in the Certification section. 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. Update the address if different than previously submitted for the Notice of Intent or Notice of Change.

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

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

2. APPLICATION CONTACT

Provide the name, title and contact information of the person that TCEQ can contact for additional information regarding this application.

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

a) Regulated Entity Reference Number (RN)

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

b) Site/Project Name/Regulated Entity

Provide the name of the MS4 as known by the public in the area where the MS4 is located. The name you provide on this application will be used in the TCEQ Central Registry as the Regulated Entity name.

c) County

Name the county where the largest residential population exists within the MS4's regulated boundaries. If the regulated area falls within additional counties, provide the county names as secondary.

d) 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://www.tceq.texas.gov/gis/sqmaview.html> or <http://nationalmap.gov/ustopo>

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

Describe the boundaries of the regulated portion of the small MS4.

4. REASON FOR TERMINATION

The Notice of Termination form is only for use to terminate the authorization (permit) or waiver. The Operator must indicate the specific reason for terminating by checking one of the options. If the reason is not listed then provide an attachment that explains the reason for termination.

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

5. 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) (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) (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).