

3rd-Party SEP Process

Purpose

The TCEQ enters into an agreement with a 3rd Party nonprofit or governmental organization to conduct environmental-enhancement projects known as pre-approved SEPs.

Eligibility

3rd Party must be a:

- Nonprofit organization under Internal Revenue Code section 501(c)(3); or
- Governmental organization.

3rd Party must be able to:

- Receive and manage SEP funds;
- Maintain SEP funds in a separate bank account;
- Provide a line-item budget for the project;
- Estimate and report the quantifiable benefits of the project; and
- Submit detailed SEP Quarterly Reports and provide supporting documents.

Apply

Complete and submit the 3rd Party Administrator SEP application. The application will be reviewed for consideration by the SEP Program and a panel of TCEQ staff from the Litigation, Enforcement, Field Operation, and Small Business and Local Government Assistance divisions (the "SEP Panel") as needed to ensure that the proposed SEP meets criteria and that all agency priorities are met. Once a SEP proposal is agreed upon, an agreement will be drafted, signed by the TCEQ, and sent to the 3rd Party for signature.

Implement & Execute

Upon receipt of the signed Agreement, the new SEP will be added to the pre-approved SEP list on the TCEQ's website. The agency is not permitted or responsible for determining which pre-approved SEPs receive respondent contributions. However, current enforcement actions can be searched by county or program at <http://www2.tceq.texas.gov/oce/penenfac/>.

Report

3rd Party shall submit calendar year quarterly reports on the 15th of May, August, November, and February. Each report shall contain:

- Quarterly Report Form detailing:
 - SEP contributions received
 - Expenditures
 - Current balance
- Copy of bank statements
- Check copies
- Invoice copies
- Work logs
- Photographs
- Maps
- Contracts
- Work plans

Completion

The 3rd Party or the TCEQ may request termination of the project. A SEP Final Quarterly Report will be required. This report must include the information listed above for the final quarter of the project, along with a list of any remaining SEP funds, which must be returned to the TCEQ within 30 days after the due date of the final quarterly report, along with any additional information the TCEQ requires. The 3rd Party will receive a letter confirming the SEP completion.