



Procedure for Transfer or Name Change of Municipal Solid Waste Permit or Registration

Texas Commission on Environmental Quality
Waste Permits Division

Introduction

Permit and registration transfers and name changes are processed as permit or registration modifications under Title 30 Texas Administrative Code (30 TAC), Chapter 305, Section [305.70\(k\)\(13\)](#). These modifications require that the Applicant mail a public notice after the modification is issued.

How to Apply for a Transfer or Name Change

1. Review the requirements for transfer described in 30 TAC [305.64](#).
2. Prepare an application package that includes the following:
 - a. A Core Data Form (form [TCEQ-10400](#)) identifying the new permittee or registrant or new name, and a completed Permit/Registration Modification Form for an MSW Facility (form [TCEQ-20650](#)).
 - b. Name and address of transferee; include the name and physical address of the site, and the name and mailing address of the entity that will be the permittee or registrant after transfer.
 - c. Date of sale of facility, if applicable.
 - d. Documentation that financial assurance will be maintained, and the identity of the type of instrument to be provided, in accordance with 30 TAC [330.63\(j\)](#). Coordinate with the [Financial Assurance Division](#) regarding financial assurance instruments.
 - e. Updated cost estimates for closure for all facilities, and post-closure care for landfills.
 - f. Documentation from both parties supporting the transfer.
 - g. Updated landowners map and updated landowners list as described in [305.70\(e\)\(5\)](#) and 30 TAC Chapter 330, [330.59\(c\)\(3\)](#), including all mineral interest ownership under the facility.
 - h. Application fee of \$150 (30 TAC [330.59\(h\)\(1\)](#)).
 - i. Other information:
 - i. Legal description of property if ownership is changing (30 TAC [330.59\(d\)\(1\)](#)), including the county, book, and page number or other generally accepted identifying reference of the current ownership record.
 - ii. Property owner affidavit from new property owner, or from existing owner if property ownership is not changing (30 TAC [330.59\(d\)\(2\)](#)).
 - iii. Legal authority of transferee. Normally, this would be a one-page certificate of incorporation issued by the [Texas Secretary of State](#). The applicant shall list all persons having a greater than 20 percent share of ownership in the proposed facility (30 TAC [§330.59\(e\)](#)).
 - iv. Evidence of competency of transferee (30 TAC [330.59\(f\)](#)).

3. Applications must be posted on a publicly accessible Internet site in accordance with 30 TAC [330.57\(i\)](#) (except for authorizations at Type IAE and Type IVAE landfill facilities).
4. Direct all correspondence and documentation to:
MC 124 – Municipal Solid Waste Permits Section
Waste Permits Division
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

For More Information

Links to rules may be found on the TCEQ Internet site at www.tceq.texas.gov/rules/index.html. If you have questions, please contact the MSW Permits Section by telephone at (512) 239-2335, by email to mswper@tceq.texas.gov, or in writing at the address listed above.