Notice of Termination (NOT) for Authorizations under Concentrated Animal Feeding Operations General Permit TXG920000

**ePermits: This form is available on our online permitting system.**

Sign up for online permitting at: <https://www3.tceq.texas.gov/steers/>

**What is the permit number to be terminated?**

TXG92enter permit number here

# SECTION 1. OWNER (PERMITTEE)

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

CN enter customer number here

1. What is the Legal Name of the current permittee?

Enter legal name of current permittee here

# SECTION 2. CO-PERMITTEE

Complete this section if there is more than one permittee.

Is this permittee an Owner or Operator? Owner    Operator

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

CN enter customer number here

1. What is the Legal Name of the current co-permittee?

Enter name of current permittee here

# SECTION 3. APPLICATION CONTACT

This is the person TCEQ will contact if additional information is needed regarding this application.

Prefix (Mr. Ms. or Miss): enter prefix here

First and Last Name: enter first and last name here Suffix: enter suffix here Title: enter title here Credentials: enter credentials here

Phone Number: enter phone number here Fax Number: enter fax number here Email: enter email address here

Mailing Address: enter mailing street number and name here

City, State, and Zip Code: enter city, state, and zip code here

Country Mailing Information, if outside USA: enter country mailing info here

# SECTION 4. REGULATED ENTITY (RE) INFORMATION ON PROJECT OR SITE

1. TCEQ issued RE Reference Number (RN): RN enter regulated entity number here
2. Name of project or site as known by the local community: Enter site name here

# SECTION 5. REASON FOR TERMINATION

Check the reason for termination:

  There has been a change in permittee or co-permittee.

What is the name of the new permittee(s) submitting the new NOI?

enter new permittee names here

What is the proposed date of the transfer or transaction? enter date here

I understand that this permit will not be terminated until the new NOI is submitted and approved. Yes

  The facility is now authorized under an individual permit.

When was the individual permit application submitted? enter date here

I understand that this permit will not be terminated until the new individual permit is approved. Yes

  The facility is no longer in use and has been closed in accordance with Part III.D. of the general permit.

When was the certification, by a Texas Licensed Professional Engineer certifying closure has been completed, submitted? enter date here

I understand that this permit will not be terminated until the certification noted above has been received by the TCEQ Water Quality Division. Yes

  Activity authorized by the permit never began. (Construction of the facility never began.)

I certify that the activity authorized by the permit never began. Yes

  The facility will be operated as an AFO that is not defined or designated as a CAFO.

I certify that the facility is now or will be operated as an AFO that is not defined or designated as a CAFO. Yes

# SECTION 6. CERTIFICATION

A signature is required for each permittee and co-permittee.

## Section 6A: Permittee Certification

Is this permittee an Owner or Operator? Owner    Operator

Signatory Name: enter signatory name here

Signatory Title: enter signatory title here

I 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 §305.44to sign and submit this document, and can provide documentation in proof of such authorization upon request.

Signature (use blue ink): sign name here, do not type

Date: enter date

## Section 6B: Co-Permittee Certification

Is this permittee an Owner or Operator? Owner     Operator

Signatory Name: enter signatory name here

Signatory Title: enter signatory title here

I 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 §305.44to sign and submit this document, and can provide documentation in proof of such authorization upon request.

Signature (use blue ink): sign name here, do not type

Date: enter date

This is the end of the form. Instructions begin on the next page.

Instructions and General Information for Notice of Termination (NOT) for Authorizations under CAFO General Permit TXG920000

# 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:

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 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.

## Change in Owner or Operator (Permittees):

**An authorization under the general permit is not transferable.**

If the owner or operator of the regulated entity changes, the present permittee must submit a Notice of Termination and the new owner or operator must submit a Notice of Intent (NOI). The NOT, NOI and Core Data Form must be submitted no later than 10 days prior to the change in Owner or Operator status.

## 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 not received by TCEQ by 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 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 FORM

The majority of permit information related to the current owner, operator, and regulated entity are available at the following website: <http://www2.tceq.texas.gov/wq_dpa/index.cfm> .

## Section 1. and 2. Current Permittee and Co-Permittee:

1. Customer Number (CN)

TCEQ assigns each customer a number that begins with CN, followed by nine digits. This is not a permit number, registration number, or license number. The Customer Number, for the current permittee, is available at the following website: <http://www2.tceq.texas.gov/wq_dpa/index.cfm>.

1. Legal Name of Permittee or Co-Permittee

The permittee and co-permittees must be the same entity as previously submitted on the original Notice of Intent for the permit number provided. The name of the current permittee and all co-permittees, as provided on the current authorization, is available at the following website: <http://www2.tceq.texas.gov/wq_dpa/index.cfm>.

1. Contact Information for the Permittee or Co-Permittee

Provide information for person signing the NOT application in the Certification section. This person is also referred to as the 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 mailing address must be recognized by the US Postal Service. You may verify the address on the following website: <https://tools.usps.com/go/ZipLookupAction!input.action>.

The phone number should provide contact to the permittee and co-permittee.

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

## Section 3. Application Contact:

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

## Section 4. Regulated Entity (RE) Information on Project or Site:

1. Regulated Entity Reference Number (RN)

The RN is issued by TCEQ’s Central Registry to sites where an activity is regulated by TCEQ. This is not a permit number, registration number, or license number. The Regulated Entity Reference Number is available at the following website: <http://www2.tceq.texas.gov/wq_dpa/index.cfm>.

1. Name of the Project or Site

Provide the name of the site as known by the public in the area where the site is located.

## Section 5. Reason for Termination:

The Notice of Termination form is only for use to terminate the authorization (permit). Indicate the specific reason for terminating by checking one of the options. Some options require responses to additional questions. 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.

## Section 6. Certification:

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

A signature is required for each permittee and co-permittee.

IF YOU ARE A CORPORATION:

The regulation that controls who may sign an application form is 30 Texas Administrative Code §305.44(a), which is provided 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), which is provided 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 statutes 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).

This is the end of the instructions.