TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

APPLICATION FOR A
RECLAIMED WATER PRODUCTION AUTHORIZATION

Contact the Applications Review and Processing Team at 512-239-4671 for assistance with this form.

**IMPORTANT:**

* + Use the INSTRUCTIONS to fill out each question in this form.
	+ Once processed, your permit authorization can be located and viewed using [TCEQ's Central Registry Search](https://www15.tceq.texas.gov/crpub/)[[1]](#footnote-2) feature.

**APPLICATION FEE:**

* + You must pay the **$300** Application Fee to TCEQ for the application to be complete.
	+ Payment and application form must be mailed to separate addresses.
	+ You can pay online:
		- Go to [ePAY](https://www3.tceq.texas.gov/epay/)[[2]](#footnote-3)
		- Select Fee Type: PERMIT BY RULE (CH 321 SUBCHAPTER P) RECLAIMED WATER PRODUCTION AUTHORIZATION APPLICATION
	+ **Provide your payment information below, for verification of payment**

Mailed Checked/Money Order Number: Click to enter text.

 Name Printed on Check: Click to enter text.

 Copy of check enclosed? Yes [ ]

EPAY Voucher Number: Click to enter text.

 Copy of Payment Voucher enclosed? Yes [ ]

**REASON FOR APPLICATION:**

**Select the reason you are submitting this application:**

  [ ]  New authorization

  [ ]  Authorization amendment

  [ ]  Change in owner or operator for authorization number: EP Click to enter text.

# Section 1. OWNER (Applicant)

Complete this section with information for the owner of the reclaimed water production facility. If there is more than one owner, complete Attachment A for each additional owner.

1. If the applicant is currently a customer with TCEQ, what is the Customer Number (CN) issued to this entity? CN Click to enter text.
2. What is the Legal Name of the entity (applicant) applying for this permit? (The legal name must be spelled exactly as filed with the Texas Secretary of State, County, or in the legal document forming the entity.): Click to enter text.
3. Complete and attach a Core Data Form (TCEQ-10400) for this customer.

# Section 2. OPERATOR (Applicant)

Is the Operator the same as the Owner?

 [ ]   Yes, go to Section 3.

 [ ]   No, complete the questions below. If there is more than one operator, complete Attachment A for each additional operator.

1. If the applicant is currently a customer with TCEQ, what is the Customer Number (CN) issued to this entity? CN Click to enter text.
2. What is the Legal Name of the entity (applicant) applying for this permit? (The legal name must be spelled exactly as filed with the Texas Secretary of State, County, or in the legal document forming the entity.): Click to enter text.
3. Complete and attach a Core Data Form (TCEQ-10400) for this customer.

# Section 3. ANNUAL BILLING CONTACT

The applicant is responsible for paying the annual fee. The annual fee will be assessed to permits active on September 1 of each year. TCEQ will send a bill to the address provided in this section. The applicant is responsible for terminating the permit when it is no longer needed.

Is the billing contact and contact information the same as the Owner or the Operator identified in Section 1 or Section 2 above?

[ ]   Yes, specify which applicant and go to Section 4: Click to enter text.

[ ]   No, complete section below

Prefix: Click to enter text. First/Last Name: Click to enter text.

Title: Click to enter text. Credentials: Click to enter text.

Mailing Address: Click to enter text. City, State, and Zip: Click to enter text.

Ph. No.: Click to enter text. Fax No.: Click to enter text. Email: Click to enter text.

# Section 4. APPLICATION CONTACT

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

Is the application contact and contact information the same as the Owner or Operator identified in Section 1 or Section 2 above?

[ ]    Yes, specify which applicant and go to Section 5: Click to enter text.

[ ]    No, complete section below.

Prefix: Click to enter text. First/Last Name: Click to enter text.

Title: Click to enter text. Credentials: Click to enter text.

Mailing Address: Click to enter text. City, State, and Zip: Click to enter text.

Ph. No.: Click to enter text. Fax No.: Click to enter text. Email: Click to enter text.

# Section 5. REGULATED ENTITY INFORMATION ON PROJECT OR SITE

1. If this is an existing permitted site, provide the Regulated Entity Number (RN) issued to this site?

RNClick to enter text.

1. Name of project or site as known by the local community: Click to enter text.

# Section 6. Alternative Means of Disposal Information

1. Provide the water quality permit number for the associated domestic wastewater treatment facility that will receive excess reclaimed water for final treatment and disposal: WQ00Click to enter text.

1. Is the owner of the associated domestic wastewater treatment facility that will receive excess reclaimed water for final treatment and disposal the same as the owner identified under Sections 1 or 2 above?

[ ]   Yes, continue to the next question.

[ ]   No, attach a signed contract from the owner of the associated domestic wastewater treatment facility that will receive excess reclaimed water for final treatment and disposal, and provide the attachment number: Click to enter text.

1. Is the owner of the collection system that will convey excess reclaimed water to the associated domestic wastewater treatment facility for final treatment and disposal the same as the owner identified under Section 1 or 2 above?

[ ]   Yes, continue to the next section.

[ ]   No, attach a signed contract from the owner of the collection system that will convey the excess reclaimed water to the associated domestic wastewater treatment facility for final treatment and disposal, and provide the attachment number: Click to enter text.

# Section 7. Technical Information

1. Do you have an existing authorization for the use of reclaimed water?

[ ]   Yes, provide the authorization number: R Click to enter text.

[ ]   No, attach a completed and signed application and provide the attachment number: Click to enter text.

1. Complete Table 1 for each site that will use reclaimed water produced at the reclaimed water production facility seeking authorization under this application. Provide the site number, all planned uses of reclaimed water, and location information (latitude and longitude). Attach additional sheets of paper if necessary

**Table 1: Use of Reclaimed Water Site Information**

| Site No. | Use(s) | Location (Latitude/Longitude) |
| --- | --- | --- |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

1. Attach the final engineering design that includes the design flow, design calculations, treatment units and their sizes, a flow diagram, and effluent water quality: Click to enter text.
2. Check the boxes below to indicate each of the maps are attached and provide the attachment number. See instructions for specific details on the contents required for each map.

[ ]  Reclaimed water production facility’s service area map Click to enter text.

[ ]  Buffer Zone Map Click to enter text.

[ ]  County general highway map showing at least one mile radius around facility site boundaries Click to enter text.

[ ]  US Geological Survey 7.5-minute quadrangle topographic map or equivalent high quality color copy showing at least one mile beyond the facility boundaries Click to enter text.

1. Attach a buffer zone report that details how the facility will qualify for an enhanced buffer zone or how it will meet standard buffer zone requirements: Click to enter text.

Note: The report must include proof of ownership or control of the buffer zone site. Proof must include either a copy of deed, tax record, contract, lease, or other legal document

1. Will the enhanced buffer zone requirements be met?

[ ]   No, the application is subject to the public participation process. Complete the next question.

[ ]    Yes, indicate the facility site’s enhanced buffer zone option below and proceed to the next section:

[ ]  At least 300 feet from the nearest residential property line.

[ ]  Enclosed without air exchange and at least 150 feet from the nearest residential property line.

[ ]  Enclosed with air exchange and at least 50 feet from the nearest residential property line.

1. **Public Participation**

TCEQ’s Public Participation Process is required if the enhanced buffer zone criteria are not met. If the response to item f) above was no, complete this item.

The Office of Chief Clerk (OCC) will send the applicant the notice of the executive director’s preliminary determination on the application for publishing in a newspaper of largest circulation in the county where the facility will be located. The applicant must submit an affidavit of the publication to the OCC within **60 days** of receiving the written instructions.

1. I will comply with the public participation requirements outlined in 30 TAC §321.319.

[ ]   Yes.

[ ]   No, your application will not be approved. Stop here.

1. Individual responsible for publishing the public notice.

Prefix: Click to enter text. First/Last Name: Click to enter text.

Title: Click to enter text. Credentials: Click to enter text.

Mailing Address: Click to enter text. City, State, and Zip: Click to enter text.

Ph. No.: Click to enter text. Fax No.: Click to enter text. Email: Click to enter text.

1. Contact to be listed in the public notice. This is the applicant contact that an interested person may contact to obtain more information.

Prefix: Click to enter text. First/Last Name: Click to enter text.

Title: Click to enter text. Credentials: Click to enter text.

Ph. No.: Click to enter text.

1. Name and location of the public location where copies of the application and the draft permit may be viewed?

Name: Click to enter text.

Physical address: Click to enter text.

County where located: Click to enter text.

## Owner Certification:

Owner Signatory Name: Click to enter text.

Owner Signatory Title: Click to enter text.

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): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Date: \_\_\_\_\_\_\_\_\_\_\_

## Operator Certification:

Operator Signatory Name: Click to enter text.

Operator Signatory Title: Click to enter text.

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

Signature (use blue ink): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Date: \_\_\_\_\_\_\_\_\_\_\_

Attachment A

Co-Applicant Information and Certification

Use this page to provide information and certification if there is more than one owner or operator.

Is this co-applicant an owner or operator? Owner [ ]    Operator [ ]

1. If the co-applicant is currently a customer with TCEQ, what is the Customer Number (CN) issued to this entity? CN Click to enter text.
2. What is the Legal Name of the entity applying for this permit? (The legal name must be spelled exactly as filed with the Texas Secretary of State, County, or in the legal document forming the entity.)

Click to enter text.

1. Complete and attach a Core Data Form (TCEQ-10400) for this customer.

## Co-Applicant Certification:

Co-Applicant Signatory Name: Click to enter text.

Co-Applicant Signatory Title: Click to enter text.

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): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_

Texas Commission on Environmental Quality

General Permit Payment Submittal Form

**Use this form to submit your Application Fee only if you are mailing your payment.**

* Complete items 1 through 5 below.
* Staple your check in the space provided at the bottom of this document.
* Do not mail this form with your application form.
* Do not mail this form to the same address as your application.

**Mail this form and your check to:**

BY REGULAR U.S. MAIL

Texas Commission on Environmental Quality

Financial Administration Division

Cashier’s Office, MC-214

P.O. Box 13088

Austin, TX 78711-3088

BY OVERNIGHT/EXPRESS MAIL

Texas Commission on Environmental Quality

Financial Administration Division

Cashier’s Office, MC-214

12100 Park 35 Circle

Austin, TX 78753

Fee Code: GPA Permit by Rule under Chapter 321 Subchapter P

1. Check / Money Order No: Click here to enter text.
2. Amount of Check/Money Order: Click here to enter text.
3. Date of Check or Money Order: Click here to enter text.
4. Name on Check or Money Order: Click here to enter text.
5. Applicant Information

Project/Site (RE) Name: Click here to enter text.

Project/Site (RE) Physical Address: Click here to enter text.

Staple Check in This Space

Instructions for Completing the Application for Reclaimed Water Production Facility Authorization

## Where to Send the Application

**BY REGULAR U.S. MAIL:**

Texas Commission on Environmental Quality

Water Quality Division (MC-148)

P.O. Box 13087

Austin, Texas 78711-3087

**BY OVERNIGHT/EXPRESS MAIL:**

Texas Commission on Environmental Quality

Water Quality Division (MC-148)

12100 Park 35 Circle

Austin, TX 78753

## Application Fee

The application fee of $300 must be paid at the time the application is submitted. Failure to submit payment at the time the application is filed will cause delays in acknowledgment or denial of coverage under the general permit. Payment of the fee may be made by check or money order, payable to TCEQ, or through EPAY (electronic payment through the web).

**Mailed Payments:** Use the attached General Permit Payment Submittal Form. The application fee is submitted to a different address than the application. Read the General Permit Payment Submittal Form for further instructions.

[ePAY](https://www.tceq.texas.gov/epay)**[[3]](#footnote-4) Electronic Payment:** When making the payment you must select Water Quality, and then select the fee category “Permit by Rule under Chapter 321 Subchapter P”. You must include a copy of the payment voucher with your application. Your application will not be considered complete without the payment voucher.

## TCEQ Contact List

Application Review and Processing Team – status and form questions: 512-239-4671

Engineering and Domestic Reuse Team - 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

## Application Review Process

When the program receives your Core Data Form and application, we will process the form as follows:

1. **Administrative Review**: Each item on the form will be reviewed for a complete response. In addition, the applicant’s legal name must be verified with Texas Secretary of State as valid and active (if applicable). The address(s) on the form must be verified with the US Postal service (USPS) as receiving regular mail delivery. [Verify the address](https://tools.usps.com/go/ZipLookupAction%21input.action)[[4]](#footnote-5) with USPS. Do not give an overnight/express mailing address.
2. **Notice of Deficiency:** If an item is incomplete or not verifiable as indicated above, a notice of deficiency (NOD) will be mailed to the applicant. The applicant will have 30 days to respond to the NOD. The response will be reviewed for completeness.
3. **Technical Review:** **More information may be requested by phone or email during this portion of the process, and a technical NOD letter may be mailed to the applicant. The executive director’s preliminary determination on the application will also be prepared**.
4. **Public Participation Process: If required, the Office of the Chief Clerk (OCC) will mail written instructions for publishing the executive director’s preliminary determination on the application at least once in the newspaper of largest circulation in the county where the reclaimed water production facility is located. If applicable, a public meeting may be held**.
5. **Acknowledgment of Coverage:** If approved, the authorization will be mailed to the application. This permit acknowledges authorization under 30 TAC Chapter 321, Subchapter P. The approval may be made with conditions.

or

**Denial of Coverage:** If the applicant fails to respond to the NOD, the response is inadequate, or the application does not meet the requirements of 30 TAC Chapter 321, Subchapter P, coverage may be denied. If coverage is denied, the applicant will be notified.

## Reclaimed Water Production Facility Authorization (Your Permit)

Coverage under the general permit begins after you receive authorization in writing from TCEQ.

You should have a copy of 30 TAC Chapter 321, Subchapter P available when submitting your application. You can find information on the Central Registry website at <https://www.15.tceq.texas.gov/crpub/>. You can search by the RN, Customer Number (CN), Authorization Holder’s Name, or Permit Number under the search field labeled “Additional ID”. Capitalize all letters in the permit number.

The authorization holder is responsible for providing consistent information to TCEQ and for updating all CN and RN data for all authorizations as changes occur.

## Authorization Forms

Application for Reclaimed Water Production Authorization (TCEQ-20537), Core Data Form (TCEQ-10400), with instructions can be located on TCEQ’s website using the [Forms search](https://www.tceq.texas.gov/search_forms.html)[[5]](#footnote-6) feature.

## Annual Water Quality Fee

This fee is assessed to authorization holders 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.

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 authorization holder to notify TCEQ when coverage is no longer required.

# INSTRUCTIONS FOR FILLING OUT THE FORM

## Section 1. and 2. Owner and Operator (Applicant)

If there is more than one owner or operator, complete Attachment A for each additional owner and operator.

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. If the applicant is an existing TCEQ customer, the Customer Number can be located using [TCEQ’s Central Registry Customer Search](http://www15.tceq.texas.gov/crpub/index.cfm?fuseaction=cust.CustSearch)[[6]](#footnote-7). If the applicant is not an existing TCEQ customer, leave the space for CN blank.
2. **Legal Name of Applicant:** Provide the current legal name of the applicant. The name must be provided exactly as filed with the Texas Secretary of State, or on the legal documents forming the entity as filed with the county. If filed in the county, provide a copy of the legal documents showing the legal name. Each ‘legal entity’ must apply as a co-applicant.
3. **Core Data Form:** Complete and attach a Core Data Form (TCEQ-10400) for each customer.

## Section 3. Annual Billing Contact

An annual fee is assessed to each operator holding active authorization under the general permit on September 1 of each year.

**Annual Fees**

* $800: Constructed Facility
* $400: Unconstructed Facility

Provide the contact name and complete mailing address where the annual fee invoice should be mailed. Verify the address with the USPS. It must be an address for delivery of regular mail, not overnight express mail. Also, provide a phone of the operator’s representative responsible for payment of invoice.

Ensure the phone number provided is for the individual responsible for paying the annual fee.

The fax number and e-mail address are optional and should correspond to the individual responsible for paying the annual fee.

## Section 4. Application Contact

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

## Section 5. Regulated Entity/Site Information

* **Regulated Entity Number (RN):** The RN is issued by TCEQ to sites where an activity is regulated by TCEQ. This is not a permit number, registration number, or license number. Your RN can be located using [TCEQ’s Central Registry Regulated Entity Search](http://www15.tceq.texas.gov/crpub/index.cfm?fuseaction=regent.RNSearch)[[7]](#footnote-8) feature. If this regulated entity has not been assigned an RN, leave this space blank.

If the site of your business is part of a larger business site, an RN may already be assigned for the larger site. Use the RN assigned for the larger site.

If the site is found, provide the assigned RN and provide the information for the site to be authorized through this application. The site information for this authorization may vary from the larger site information.

An example is a chemical plant where a unit is owned or operated by a separate corporation that is accessible by the same physical address of your unit or facility. Other examples include industrial parks identified by one common address but different corporations have control of defined areas within the site. In both cases, an RN would be assigned for the physical address location and the permitted sites would be identified separately under the same RN.

* **Name of the Project or Site:** Provide the name of the site or project as known by the public in the area where the site is located. The name you provide on this application will be used in the TCEQ Central Registry as the Regulated Entity name.

## Section 6. Alternative Means of Disposal Information

a) Wastewater Permit Number: Provide the domestic water quality permit number for the domestic wastewater treatment facility or the associated wastewater treatment facility that will receive the excess reclaimed water for final treatment or disposal. [30 TAC §321.305(a)(1)]

b) If the owner of the associated domestic wastewater treatment facility that will receive excess reclaimed water for final treatment and disposal is the same as the owner identified under Sections 1 or 2, check yes. Otherwise, check no and attach a signed contract from the owner of the associated domestic wastewater treatment facility consenting to receive excess reclaimed water for final treatment and disposal. Provide the attachment number in the space provided.

c) If the owner of the collection system that will convey excess reclaimed water to the associated domestic wastewater treatment facility for final treatment and disposal is the same as the owner identified under Sections 1 or 2, check yes. Otherwise, check no and attach a signed contract from the owner of the collections system consenting to convey excess reclaimed water to the associated domestic wastewater treatment facility for final treatment and disposal. Provide the attachment number in the space provided.

## Section 7. Technical Information

* 1. If you have an existing authorization for the use of reclaimed water, check yes and provide the authorization number. R is already included. Otherwise, check no and attach a completed and signed application. Provide the attachment number in the space provided.
	2. Complete Table 1 for each site that will use reclaimed water produced at the reclaimed water production facility seeking authorization under this application. Provide the site number, all planned uses of reclaimed water, and location information (latitude and longitude). Attach additional sheets of paper if necessary.
	3. Attach the final engineering design that includes the design flow, design calculations, treatment units and their sizes, a flow diagram, and effluent water quality. Provide the attachment number in the space provided.
	4. Check the box to indicate each of the following maps is attached and provide their attachment number.
	+ a service area map for the reclaimed water production facility [30 TAC §312.309(d)(12)]
	+ a buffer zone map [30 TAC §312.309(d)(8)]
	+ a county general highway map that shows the scale of the map, the associated domestic wastewater treatment facility, the main collection system line, the reclaimed water production facility, and at least a one-mile radial area surrounding the reclaimed water production facility. The county general highway may be obtained at the Texas Department of Transportation. [30 TAC§321.309(d)(9)]
	+ a USGS 7.5-minute quadrangle topographic map or equivalent showing at least a one-mile area surrounding the reclaimed water production facility, each well spring, all surface waterbodies or other water in the State, and the general characteristic of the adjacent area [including public roads, towns, the nature of development (e.g. residential, commercial, agricultural, recreational, and undeveloped)]. [30 TAC§321.309(d)(10)]
	1. Attach a buffer zone report that details how the facility will qualify for an enhanced buffer zone or how it will meet standard buffer zone requirements. Provide the attachment number in the space provided.

Note: The report must include proof of ownership or control of the buffer zone site. Proof must include either a copy of deed, tax record, contract, lease, or other legal document

* 1. If the enhanced buffer zone requirements will be met, check yes. If yes, indicate the facility site’s enhanced buffer zone option and proceed to the Section 8.

If the enhanced buffer zone requirements will not be met, check no. If no, the application is subject to the public participation process. Complete question g) regarding public participation.

* 1. Public Participation

TCEQ’s Public Participation Process is required if the enhanced buffer zone criteria are not met. The Office of Chief Clerk (OCC) will send the applicant the notice of the executive director’s preliminary determination on the application for publishing in a newspaper of largest circulation in the county where the facility will be located. The applicant must submit an affidavit of the publication to the OCC within **60 days** of receiving the written instructions.

* + - 1. Check yes to confirm that you will comply with the public participation requirements outlined in 30 TAC §321.319. Otherwise, check no. If no, your application will not be approved.
			2. Provide the contact information for the individual responsible for publishing the public notice.
			3. Provide name, title, and phone number of the contact to be listed in the public notice. This is the applicant contact that an interested person may contact to obtain more information.
			4. Provide the full name and location of the public location where copies of the application and the draft permit may be viewed. Note: This location must be open to the public.

## Section 8. Certifications

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

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 a notice of intent (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).

1. <https://www15.tceq.texas.gov/crpub/> [↑](#footnote-ref-2)
2. <https://www3.tceq.texas.gov/epay/> [↑](#footnote-ref-3)
3. <https://www.tceq.texas.gov/epay> [↑](#footnote-ref-4)
4. [https://tools.usps.com/go/ZipLookupAction!input.action](https://tools.usps.com/go/ZipLookupAction%21input.action) [↑](#footnote-ref-5)
5. <https://www.tceq.texas.gov/search_forms.html> [↑](#footnote-ref-6)
6. <http://www15.tceq.texas.gov/crpub/index.cfm?fuseaction=cust.CustSearch> [↑](#footnote-ref-7)
7. <http://www15.tceq.texas.gov/crpub/index.cfm?fuseaction=regent.RNSearch> [↑](#footnote-ref-8)