

**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
INNOCENT OWNER/OPERATOR PROGRAM CERTIFICATE**

As provided for in §361.753, Subchapter V, Solid Waste Disposal Act (SWDA), Texas Health and Safety Code.

I, JACQUELINE S. HARDEE, P.E., DIRECTOR OF THE REMEDIATION DIVISION, TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ OR COMMISSION), CERTIFY UNDER §361.753, SWDA, TEXAS HEALTH AND SAFETY CODE, THAT NECESSARY INVESTIGATIONS HAVE BEEN COMPLETED AS DESCRIBED IN THE APPROVED SITE INVESTIGATION REPORT(S) DATED **KEYBOARD(DATES OF REPORTS)** (SITE REPORT) FOR THE TRACT(S) OF LAND DESCRIBED IN EXHIBIT "A" (SITE), AND THAT **KEYBOARD(NAME OF OWNER/OPERATOR)** IS AN INNOCENT OWNER [OPERATOR] AS DEFINED BY §361.751(2) FOR THE SITE, BASED ON THE AFFIDAVIT FOR IOP NO. **KEYBOARD(IOP NO.)** IN EXHIBIT "B". A COPY OF THE SITE REPORT MAY BE FOUND IN THE TCEQ CENTRAL RECORDS OFFICE UNDER IOP NO. **KEYBOARD(IOP NO.)**.

KEYBOARD(NAME OF OWNER/OPERATOR) IS NOT LIABLE UNDER THE TEXAS HEALTH AND SAFETY CODE OR THE TEXAS WATER CODE FOR INVESTIGATION, MONITORING, REMEDIATION OR CORRECTIVE OR OTHER RESPONSE ACTION'S REGARDING THE CONDITIONS ATTRIBUTABLE TO THE RELEASE OR MIGRATION OF THE CONTAMINANT(S) IN **KEYBOARD(LIST MEDIA)** FROM A SOURCE OR SOURCES NOT LOCATED ON OR AT THE SITE INCLUDING: **KEYBOARD(LIST CONTAMINANTS)** DESCRIBED IN THE SITE REPORTS OR RELATED DEGRADATION PRODUCTS, OR OTHERWISE LIABLE REGARDING THOSE CONDITIONS. **KEYBOARD(NAME OF OWNER/OPERATOR)** SHALL GRANT REASONABLE ACCESS TO THE PROPERTY FOR PURPOSES OF INVESTIGATION AND REMEDIATION TO PERSONS DESIGNATED BY THE EXECUTIVE DIRECTOR OF THE TCEQ.

EXECUTED this ____ day of _____, 20__

Jacqueline S. Hardee, P.E., Director
Remediation Division

STATE OF TEXAS
TRAVIS COUNTY

BEFORE ME, on this the ____ day of _____, personally appeared Jacqueline S. Hardee, P.E., Director, Remediation Division, of the Texas Commission on Environmental Quality, known to me to be the person and agent of said commission whose name is subscribed to the foregoing instrument, and she acknowledged to me that she executed the same for the purposes and in the capacity therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the ____ day of _____, 20__

Notary Public in and for the State of Texas

EXHIBIT "A"
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
INNOCENT OWNER/OPERATOR PROGRAM
LEGAL DESCRIPTION OF PROPERTY
IOP No. ___

The property belonging to **KEYBOARD**(Name of Owner/Operator) is a **KEYBOARD**(# of Acres) acre tract, more or less, located at **KEYBOARD**(Address, City) in the (Name) League (No.), Abstract (No.), recorded in Volume (No.), Page (No.) of the Deed of Records in **KEYBOARD**(County) County, Texas; said **KEYBOARD**(# of Acres) acre property is more particularly described as follows:

(Insert metes and bounds description here)

Draft

EXHIBIT "B"
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
INNOCENT OWNER/OPERATOR PROGRAM
AFFIDAVIT BY INNOCENT OWNER/OPERATOR

Before me, the undersigned authority, personally appeared **KEYBOARD**(Name of Owner/Operator), who, being by me duly sworn, deposed as follows:

My name is **KEYBOARD**(Name of Innocent Owner/Operator) and I am a representative of **KEYBOARD**(Company Name). I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

KEYBOARD(Name of Innocent Owner/Operator) is the **KEYBOARD**(owner/operator) of the Site located at **KEYBOARD**(Address, City, County) County, Texas. The physical boundaries of the site are set out in the attached Exhibit "A", "Legal Description of Property" (Site).

KEYBOARD(Name of Innocent Owner/Operator) has **KEYBOARD**(owned/operated) the Site from **KEYBOARD**(Enter Date) to **KEYBOARD**(Enter Date).

KEYBOARD(Name of Innocent Owner/Operator) or its representatives have completed investigations, pursuant to Section 361.753(a) of the Texas Solid Waste Disposal Act, at the Site described in Exhibit "A" to this certificate. The plans and reports submitted by **KEYBOARD**(Name of Innocent Owner/Operator) in its Innocent Owner/Operator Application contain information collected and analyzed using a prudent degree of inquiry consistent with accepted industry standards. The plans and reports are true, correct and complete to the best of my knowledge.

The Site has become contaminated as a result of a release or migration of contaminants in **KEYBOARD**(List Media) from a source or sources not located on or at the Site. These contaminants are described in the Site Investigation Reports for the Site dated **KEYBOARD**(SIR Date(s)) located in the TCEQ Central Records under **KEYBOARD**(IOP No.)

Neither I, **KEYBOARD**(Name of Innocent Owner/Operator), my agents, nor other persons, properties or operations for which I have legal responsibility, have caused or contributed to the source or source(s) of contamination at the Site.

Site Innocent Owner or Operator

By: _____
Signature

Name (Printed or Typed)

SWORN TO AND SUBSCRIBED before me on the _____ day of _____, 20____

(Notary)

EXHIBIT "B-1"
TEXAS NATURAL RESOURCE CONSERVATION COMMISSION
INNOCENT OWNER/OPERATOR PROGRAM
AFFIDAVIT BY INNOCENT OWNER/OPERATOR WHO DID NOT COMPLETE
THE SITE INVESTIGATION REPORT

Before me, the undersigned authority, personally appeared **KEYBOARD**(Name of Innocent Owner/Operator), who, being by me duly sworn, deposed as follows:

My name is **KEYBOARD**(Name of Innocent Owner/Operator) and I am a representative of **KEYBOARD**(Company Name). I am of sound mind, capable of making this affidavit and personally acquainted with the facts herein stated:

KEYBOARD(Name of Innocent Owner/Operator) is the **KEYBOARD**(owner/operator) of the Site located at **KEYBOARD**(Address, City, County) County, Texas. The physical boundaries of the Site are set out in the attached Exhibit "A", "Legal Description of Property" (Site).

KEYBOARD(Name of Innocent Owner/Operator) has **KEYBOARD**(owned/operated) the Site from **KEYBOARD**(Enter Date) to **KEYBOARD**(Enter Date).

The Site has become contaminated as a result of a release or migration of contaminants in **KEYBOARD**(List Media) from a source or sources not located on or at the Site. These contaminants are described in the Site Investigation Reports for the Site, dated **KEYBOARD**(SIR Date(s)) located in the TNRCC Central Records under **KEYBOARD**(IOP No.)

Neither I, **KEYBOARD**(Name of Innocent Owner/Operator), my agents, nor other persons, properties or operations for which I have legal responsibility, have caused or contributed to the source or source(s) of contamination at the Site.

Site Innocent Owner or Operator

By: _____

Signature

Name (Printed or Typed)

SWORN TO AND SUBSCRIBED before me on the _____ day of _____, 20____

(Notary)

EXHIBIT "B-2"
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
INNOCENT OWNER/OPERATOR PROGRAM
AFFIDAVIT BY PERSON WHO COMPLETED THE SITE INVESTIGATION REPORT

Before me, the undersigned authority, personally appeared **KEYBOARD**(Name of Person), who, being by me duly sworn, deposed as follows:

My name is **KEYBOARD**(Name of Person) and I am a representative of **KEYBOARD**(Company Name). I am of sound mind, capable of making this affidavit and personally acquainted with the facts herein stated:

KEYBOARD(Name of Owner/Operator) is the **KEYBOARD**(owner/operator) of the Site located at **KEYBOARD**(Address, City, County) County, Texas. The physical boundaries of the Site are set out in the attached Exhibit "A", "Legal Description of Property" (Site).

KEYBOARD(Name of Person) or its representatives have completed investigations, pursuant to Section 361.753(a) of the Texas Solid Waste Disposal Act, at the Site described in Exhibit "A" to this certificate. The plans and reports submitted by **KEYBOARD**(Name of Person) in its Innocent Owner/Operator Application contain information collected and analyzed using a prudent degree of inquiry consistent with accepted industry standards. The plans and reports are true, correct and complete to the best of my knowledge.

The Site has become contaminated as a result of a release or migration of contaminants in **KEYBOARD**(List Media) from a source or sources not located on or at the Site. These contaminants are described in the Site Investigation Reports for the Site, dated **KEYBOARD**(SIR Date(s)) located in the TCEQ Central Records under **KEYBOARD**(IOP No.).

Person Who Completed the Site Investigation Report

By: _____

Signature

Name (Printed or Typed)

SWORN TO AND SUBSCRIBED before me on the _____ day of _____, 20____

(Notary)