TCEQ REGULATORY GUIDANCE
Remediation Division
RG-366/TRRP-2A ● July 2011

Closure of Waste-Management Units Subject to TRRP

Overview

Objectives	To familiarize readers with the regulatory and administrative processes for closure of waste-management units subject to the TRRP rule that are typically reviewed by the Remediation Division.
Audience	Regulated community and environmental professionals.
References	The Texas Risk Reduction Program (TRRP) rule, together with conforming changes to related rules, is contained in Title 30, Texas Administrative Code, Chapter 350 (30 TAC 350). Find links for the TRRP rule and preamble, Tier 1 PCL tables, and other TRRP information at <www.tceq.texas.gov/goto/trrp>. TRRP guidance documents undergo periodic revision and are subject to change. Referenced TRRP guidance documents may be in development. Links to current versions are at <www.tceq.texas.gov/goto/trrp-guidance>.
Contact	TCEQ Remediation Division Technical Support Section, 512-239-2200, or <techsup@tceq.texas.gov>. For mailing addresses, refer to: <www.tceq.texas.gov/agency/directory/>.

1.0 Introduction

This document expands upon the discussion of *closure* in *TRRP Applicability and Grandfathering* (TCEQ publication no. RG-366/TRRP-2), discussing its administrative and regulatory aspects, with emphasis on the categories of waste-management units that can be subject to the Texas Risk Reduction Program rule, 30 TAC 350, at time of closure. This document does not apply to underground or aboveground storage tanks regulated by 30 TAC 334.

Closure means permanently taking a waste management unit or facility out of service. Additional requirements for closure can apply, depending on a regulatory program's rules, permits, or orders, such as 30 TAC 335 Subchapters E and F for closures of hazardous-waste (HW) units subject to the Resource Conservation and Recovery Act (RCRA). For closure of RCRA permitted and interim-status units, and corrective action for solid-waste-management units listed in permits, see *TRRP Compatibility with RCRA* (RG-366/TRRP-3) for additional requirements.

Reports documenting closure of the units described in Table 1 are typically reviewed by the Remediation Division.

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Table 1. Unit closures reviewed by the Remediation Division.

Unit Classification	Description
Industrial Nonhazardous Solid Waste Management Unit (INSWMU)	A unit or area used to store, treat, or dispose of any industrial nonhazardous solid waste, including containers, tanks, sumps, surface impoundments, landfills, piles, or any other structure, vessel, appurtenance, or other improvement on land.
Hazardous Waste Permit Exempt Unit	A tank, container, drip pad, or containment building used to accumulate hazardous waste on site for less than a specified period (90, 180, or 270 days) without a hazardous waste permit or interim status.
Hazardous Waste Interim Status Unit	A unit for hazardous waste storage, treatment, or disposal subject to the standards for closure or post-closure care in 30 TAC 335 Subchapter E while final action on a hazardous waste permit, a final closure certification, or completion of post-closure care is pending.
TPDES and Other Permitted Industrial Wastewater Unit	A unit such as a pit, tank, pond, lagoon, or surface impoundment associated with an industrial wastewater treatment system regulated by permits, such as a Texas Pollution Discharge Elimination System (TPDES) permit or a no-discharge permit.
TPDES Domestic or Municipal Wastewater Unit	A unit such as a pit, tank, pond, lagoon, or surface impoundment associated with a domestic or municipal wastewater-treatment system regulated by TPDES permits, when referred to the Remediation Division by the TCEQ Water Quality Division.

2.0 Overview of Closure Process

2.1 Regulatory Basis for Closure

TCEQ regulations at 30 TAC 335.8 establish the obligation for closure or remediation of facilities or areas containing industrial solid waste or municipal hazardous waste. Unless compelled by a provision of a permit, order, rule or other directive to initiate closure, the "person"[1] determines the time of closure. Depending on the classification of the unit, some initial notices and actions may be required when commencing closure. These appear in Table 2.

2.2 Closure Performance Standard

Any closure subject to TRRP must attain the two-part closure performance standard specified in 30 TAC 350.2(h). The first part addresses the overall expectations for the unit closure, requiring it to minimize or eliminate the need for further maintenance and controls and, to the extent necessary to protect human health and the environment, the subsequent escape of waste, contaminants, leachate, runoff, and decomposition products to the

[1] "Person" as used in this document means an individual, corporation, organization, government or governmental subdivision or agency, business trust, partnership, association, or any other legal entity. See 30 TAC 350.4(a)(62). It is a general term usable in place of a program-specific term such as "owner-operator" or "responsible party" that connotes responsibility or obligation to perform closure.

Table 2. Initial notices and actions for closure.

Unit Classification	*Initial Notices and Actions*	*Send Documents to*
INSWMU and HW Permit-Exempt[a]	No initial notice is required.[b]	Remediation Division (MC 127)[c]
HW Interim Status[d]	See 30 TAC 335 Subchapter E, starting with Sections 335.112 and 118.	Remediation Division (MC 127)
HW Permitted[d]	See Industrial Hazardous Waste Permit for closure requirements.	Waste Permits Division (MC 130)
Wastewater—Industrial[e]	Submit notice 90 days in advance of closure.	Remediation Division (MC 127)
Wastewater—Domestic-Municipal and Other[e]	Submit closure plan that conforms to permit requirements for approval 90 days in advance of closure. Carry out the approved closure plan. Submit report.	Water Quality Division, Wastewater Permitting Section[f] (MC 148)

[a] HW (also called RCRA) permit-exempt units being closed with hazardous waste left in place lose exempt status and must close as RCRA units. Such closure could subject the unit to TCEQ issuance of a hazardous-waste permit or order for post-closure care based on requirements of 30 TAC 335 Subchapter F.

[b] The person can self-implement the closure. Submission of applicable reports identified in Table 3 will satisfy the requirement for notice of change in waste-management methods [30 TAC 335.6(b)].

[c] MC = 'mail code.' Also send a copy to the appropriate regional office.

[d] HW units are subject to many additional requirements not covered in this publication; notice requirements are included in this table for completeness only. See *TRRP Compatibility with RCRA* (RG-366/TRRP-3) for additional information.

[e] Wastewater units include those regulated by a TPDES permit or another permit issued by the TCEQ Water Quality Division, such as a no-discharge permit.

[f] If the completed closure does not comply with the approved closure plan, the Water Quality Division will refer the closure to the Remediation Division for continuation with Closure Option A or B.

surrounding environmental media. The second part addresses the applicability of TRRP to the waste within the unit and releases from it. Regarding waste in the unit, the person applies the requirements for waste specified in the two remedy standards of Subchapter B of the TRRP rule. If there is a release from the unit, the person must address the release and may have to apply the full extent of the TRRP rule for its assessment and remediation. Closure can therefore be viewed as the combination of managing the waste in the unit and addressing any releases to the surrounding environmental media. In the context of TRRP, the person can apply removal, decontamination, or control techniques to meet the "minimize or eliminate" closure performance standard.

2.3 Closure and Remedy Standards

With several different types of waste management units, manner of closure (with or without physical controls) and response action options for releases, there are many different ways closure can proceed. Table 3 defines closure in terms of the closure performance standard and the two options derived from the TRRP remedy standards. Closure Option A (closure without physical controls) uses only removal or decontamination for both the unit deactivation and any response to a release from the unit.

Closure Option B (closure with physical controls), in contrast, can use removal, decontamination, or physical control techniques, or physical controls alone, for the unit deactivation or the release remediation. Note that the use of a physical control for any aspect of a closure results in an Option B designation.

2.4 Administrative

After the person submits a complete closure report (see 4.0), the TCEQ program area will review the information for compliance with technical and regulatory requirements. For units with extensive releases, the unit deactivation could be completed and reported well before the release remediation achieves applicable standards. In such situations the program area can issue a letter acknowledging the unit deactivation with remediation in progress. The program area will issue a "no further action" letter after all requirements are met. When a waste management unit is listed on a solid waste notice of registration (NOR), the program area will also copy the Registration and Reporting Section (MC 129), Permitting and Remediation Support Division, on letters so the status of the unit can be changed on the notice of registration to reflect remediation in progress or completion of closure. The Industrial and Hazardous Waste Permits Section (MC 130) will also be copied on letters for hazardous waste units confirming either completion of closure or the need for a post–closure care permit or order.

3.0 Details of Closure Process

3.1 Unit Deactivation and Waste Management

3.1.1 Closure Option A

Closure under this option will use only removal or decontamination techniques for both the unit deactivation and any needed response to a release from the unit. The manner of closure that best satisfies the closure performance standard is removal of all wastes from the unit. This should be the objective for storage units such as tanks, container storage areas, drip pads and containment buildings, since such units are not intended for final disposal of wastes. In the closure of a container storage area, deactivation may include documentation of no releases (visual observation, review of unit records, interviews of knowledgeable personnel, testing surfaces, etc.) and removal of stored containers. Land-based units such as surface impoundments and waste piles must

Table 3. Summary of Closure Options A and B.

Closure Option	Unit Deactivation and Waste Management	Release Remediation	PCC, PRAC[a]	Deed Record	Closure achieved once the TCEQ:
A Closure without Physical Controls	Remove listed hazardous waste from unit. Remove and decontaminate[b] characteristic and nonhazardous waste from unit, liners, secondary containment. See **3.1.1**.	3 Scenarios: see **3.2.3.1–3.2.3.3**.	None	None[c]	Approves closure report (see **4.0**) and applicable TRRP reports
B Closure with Physical Controls	Remove, decontaminate, or control all wastes, or use physical controls only (e.g., landfill cap) for waste left in place. See **3.1.2**.	4 Scenarios: see **3.2.3.1–3.2.3.4**.	Varies[d]	Satisfy 30 TAC 335.5 and/or 350.31(g) or (h)	Approves closure report (see **4.0**), applicable TRRP reports, final PCC report

[a] PCC = post-closure care (for the physical control on the unit). PRAC = post–response action care (for a control remedy on the release).

[b] See 3.1.1.1 for limitations on decontamination of waste satisfying closure option A and 30 TAC 350.32(a)(2–3).

[c] A deed record for 30 TAC 335.5 is not required for the unit, but institutional controls for TRRP can be required if closed using commercial/industrial land-use assumptions [30 TAC 350.31(g)] or a long-term remedy [350.31(h)] or other TRRP options. See 30 TAC 350 Subchapter F.

[d] Financial assurance may be required for post-response action care of a physical control used as part of the release remediation. See 30 TAC 350.33(l–n) for details and options.

be emptied of the waste. Residues on containment surfaces can be washed, rinsed, sandblasted, chipped, etc. A thoroughly emptied and cleaned metal tank, for instance, may have other uses and need not be removed or destroyed to attain closure. Non-earthen materials such as synthetic liners or pipes or concrete can be decontaminated by washing, sandblasting, flushing, etc. In contrast, waste or waste residues that have solidified or penetrated into concrete and can't be removed from the unit may necessitate removal of the unit for management as waste or seeking closure under Option B, which permits physical controls. Refer to 30 TAC 335 for additional requirements that could apply to the waste after removal from the unit.

3.1.1.1 Limitations on decontamination of waste

Decontamination [see 30 TAC 350.4(a)(21)] involves applying a permanent and irreversible treatment to the waste or media so that the threat of release of *chemicals of concern* (COCs) at concentrations above the critical *protective concentration levels* (PCLs) is eliminated. The requirements for management of waste in 30 TAC 350.32(a)(1–3), in conjunction with the closure performance standard discussed above, can limit the use of decontamination techniques in some closures. For the following situations, merely meeting PCLs for COCs in the waste is not sufficient to demonstrate decontamination for purposes of Option A.

Listed hazardous waste: 30 TAC 350.32(a)(1) specifies that waste which is hazardous by listing in 40 CFR Part 261, Subpart D must be removed from a waste management unit at closure. Decontamination is not an option for this category of waste. Note that the "contained-in" determination of 30 TAC 350.2(h)(3) is applied to environmental media containing releases of listed hazardous waste; it is not applied to the hazardous waste in the unit. Refer to *TRRP Compatibility with RCRA* (RG-366/TRRP-3) for more details on "contained-in" determinations.

Characteristic hazardous waste: 30 TAC 350.32(a)(2) allows the option to remove or decontaminate this category of waste. If treatment only eliminates the hazardous characteristic, the remnant is still solid waste in need of further treatment or removal. For example, in attempting to close a waste storage tank containing low-pH wastes (hazardous for corrosivity), the person adjusts the pH so the waste is no longer hazardous. The resulting material, if not removed from the tank, is still subject to the requirements for nonhazardous waste as described in the next paragraph.

Nonhazardous waste: 30 TAC 350.32(a)(3) allows the option to remove or decontaminate this category of waste. This requirement will apply to most closures of waste-management units under TRRP. Removal of all waste from the unit (including waste residue, sludge, and any other intrinsically waste-like material), regardless of type, will meet the closure performance standard with respect to elimination.

3.1.1.2 Treatment of waste in the unit

Decontamination techniques can be utilized for containment system components such as earthen or synthetic liners and berms. The waste in the unit can be treated to reduce its volume or change its composition prior to removal. However, material remaining after treatment will be considered decontaminated to essentially being an environmental medium not requiring removal from land-based units (such as surface impoundments or land treatment units) **only** if it meets the following conditions:

1. It is unconsolidated, particulate, naturally occurring pedological material, essentially soil- or rock-like in composition and texture.
2. COC concentrations are below applicable PCLs, including PCLs for pathways such as surface water runoff.
3. It satisfies aesthetic criteria [30 TAC 350.74(i)].

If decontamination does not meet all three conditions, the person can apply other treatment processes or elect to close in place under Option B. In selecting treatment processes, consider that stabilization, solidification or fixation of wastes (e.g., addition of pozzolanic material such as portland cement or kiln dust, or other bulking agents to improve load bearing) is initially presumed to be a control measure that must be

addressed under Option B, unless proven to be a decontamination remedy (30 TAC 350.31(b)).

3.1.2 Closure Option B

Closure under this option involves any combination of removal, decontamination, or physical control techniques, or physical controls alone, for the unit deactivation or any response to a release from the unit. Use of physical controls necessitates post-closure care. The flexibility available in this option covers a range of situations. For example, closure of a Class III waste landfill without a release would need only a soil cover with minimal post-closure care. Deed recordation in accordance with 30 TAC 335.5 is required if not completed before waste disposal began. A model deed notice for this purpose appears in **5.0**. In contrast, a surface impoundment with Class I saturated sludge and a release to groundwater could require treatment or stabilization of the waste (if not removed) to minimize or prevent the post-closure escape of leachate, as well as an engineered impermeable cover to minimize rainwater infiltration. In this example, the design of the unit deactivation and waste management (source control) must be integrated with the response action for the release. Similarly, post-closure care of the unit is combined with post–response action care for the remedy. *Application of Remedy Standards A and B* (TCEQ publication RG-366/TRRP-28) gives details on physical controls and other options available under Remedy Standard B.

3.2 Release Remediation

3.2.1 Release Determination

The second major component of closure, release remediation, depends on whether a release has occurred and, if so, its extent. A determination of whether a release has occurred can be based on one or more of the following lines of evidence: a unit inspection; operator knowledge; a review of records (e.g., past inspection records, operating logs, integrity testing records, inventory reconciliation); sampling of secondary containment materials; and—most convincing—sampling and chemical analysis of environmental media. For aboveground units, units with secondary containment, and units shown to be adequately constructed and well-maintained, a release determination can be based on a unit inspection and records review as long as that information demonstrates that no release to the environment has occurred. If deactivation of a unit includes some over-excavation of soil during its removal, base the release determination on direct observations of in-place soil or samples collected from the base and side walls of the excavation.

3.2.2 Release Assessment

When a release is determined to have occurred, the person must assess the extent of its migration from the unit into surrounding environmental media. In general, a release assessment will be necessary when design and location relative to the ground surface prevent inspection beneath the unit, as for an in-ground sump or oil-water separator, an underground tank, or a land-based unit such as a surface impoundment, landfill, or waste pile. Decide if *Determining Which Releases are Subject to TRRP* <www.tceq.texas.gov/assets/public/remediation/trrp/releasesTRRPrev.pdf> applies for minimum assessment and reporting requirements; otherwise, for a greater range of options, follow the requirements of 30 TAC 350 Subchapter C and report the results in the required TRRP standard format.

3.2.3 Scenarios

Four scenarios for release remediation are possible depending on the results of the release assessment. The first three are common to both Closure Options A and B, while the fourth is specific to Closure Option B. Contaminated media, if removed for treatment, storage, or disposal elsewhere, must be managed as waste commensurate with the waste classification (hazardous, Class 1, 2, or 3) of 30 TAC Chapter 335, Subchapter R. An alternative management option for removed soils is relocation for reuse if the conditions of 30 TAC 350.36 can be met at the new location. Soil reuse is further discussed in *TRRP Compatibility with RCRA* (RG-366/TRRP-3).

3.2.3.1 No Release

If the release determination or assessment indicates no release has occurred, the closure process consists only of deactivation of the unit, documented in a closure report (see **4.0**).

3.2.3.2 Release—No Remedy Required

A release has occurred which the person must assess pursuant to TRRP. If no PCL exceedance zone exists in environmental media, the closure process consists of the unit deactivation and the assessment. The person submits a closure report and an affected property assessment report (Form TCEQ-10325/APAR). If the conditions of the memo cited above (see **3.2.2**) are met, the person can submit a letter report in lieu of an APAR.

3.2.3.3 Release—Removal or Decontamination Remedy

A release has resulted in a PCL exceedance zone in which the response consists only of removal and decontamination remedies. The person first proposes this response in either a self-implementation notice (Form TCEQ-10323/SIN) or an optional response action plan (Form TCEQ-10326/RAP). In addition to the closure report and an APAR, the person will have to document successful completion of the response action with a response action completion report (Form TCEQ-10328/RACR). Response action effectiveness reports (Form TCEQ-10327/RAER) may be required for long-term remedies such as monitored natural attenuation.

3.2.3.4 Release—Control Remedy

This scenario applies to Closure Option B only. A response that uses a physical control to contain or isolate the release is subject to the requirements for Remedy Standard B of 30 TAC 350.33, even if the unit deactivation consisted only of removal or decontamination. For example, a person can close an on-grade tank by removing the tank and its waste while controlling the release from the tank to the underlying media with an engineered clay cap and hydraulic containment wells within a plume management zone. Physical controls necessitate post-response action care commensurate with the complexity of the remedy. Financial assurance for such care of the physical control may be required. Documentation of closure includes the closure report and the full suite of TRRP reports, including a response action plan (Form TCEQ-10326/RAP) and post–response action care reports (Form TCEQ-10329/PRACR).

4.0 Closure Report

Include the following information in the Closure Report as appropriate for Closure Option A or B. Describe any other actions relevant to the closure not otherwise itemized. Send one copy of the report to the appropriate division listed in Table 2 and a second copy to the TCEQ regional office.

4.1 Cover Information

- facility name, and physical and mailing address(es)
- TCEQ facility identification numbers (e.g., solid waste [SW] notice of registration [NOR], EPA facility ID, industrial hazardous waste permit/compliance plan, TPDES permit)
- TCEQ region
- unit designation (e.g., container storage area, tank, surface impoundment, landfill)

- unit number as listed in the SW NOR
- facility contact information (name, phone number, e-mail and mailing addresses)
- consultant contact information (name, phone number, e-mail and mailing addresses)

4.2 Executive Summary

Briefly summarize the major aspects of the unit closure, offering brief conclusions and recommendations.

4.3 Background Information

- Identify the unit (e.g., designation, SW NOR unit number), years of operation, and reason for closure.
- Describe the unit construction and manner of operation.
- Enclose copies of SW NOR pages identifying the unit and wastes managed.
- Include a facility map identifying the unit location.
- Indicate if a release remediation is complete and documented as part of the closure report. If the remediation is in progress, indicate the date by which the next TRRP report will be submitted.

4.4 Closure Information

Document attainment of the closure performance standard of 30 TAC 350.2(h). Include photographs and other supporting information. Describe actions taken for unit deactivation and waste management, the results of the release determination and—as applicable—release remediation, placement of physical controls, a post–closure care plan, and proof of filing of institutional control. To prevent duplication, cross-references to any TRRP standardized reports submitted for a release remediation may be included with summary statements when the details of unit deactivation, physical controls or post-closure care appear in such other reports.

4.4.1 Closure Option A—Unit Deactivation and Waste Management

Document:

- removal of listed hazardous waste;

- removal or decontamination of other waste from the unit, liners, and secondary containment;
- the disposition (e.g., disposal on- or off-site, treatment, soil reuse) of waste;
- decontamination material, and over-excavated media; and
- the removal or modification of the unit to no longer receive waste.

4.4.2 Closure Option B

4.4.2.1 Unit Deactivation and Waste Management

Document the removal of listed hazardous waste, the removal or decontamination of characteristic hazardous waste, and the characterization of all remaining nonhazardous waste to be left in place. (*Note:* See 30 TAC Chapter 335 for requirements for closing land-based units with hazardous waste left in place.)

4.4.2.2 Physical Control

Document the placement of a physical control, such as landfill cover in accordance with *Technical Guideline No. 3—Landfills* <www.tceq.texas.gov/goto/hiwdocs> or other appropriate design.

4.4.2.3 Post–Closure Care Plan

Describe the inspection, maintenance, groundwater monitoring, and reporting to be conducted during post-closure. Include a schedule of post-closure care.

4.4.3 Release Determination

For a unit closure with **no release subject to TRRP**, summarize the results of the unit release determination in text, figures, and tables, and enclose laboratory reports for samples of environmental media. Include available information such as unit inspection reports and reviewed records (e.g., records of integrity testing, maintenance, and waste spills or other releases and cleanup), or an assessment based on *Determining Which Releases are Subject to TRRP*. For a unit closure with **a release subject to TRRP**, list all applicable TRRP reports submitted as part of this closure for the assessment and remediation of the release. Possible combinations of TRRP standardized reports can include:

- Assessment but no remedy required—APAR

- Assessment and remove/decontaminate remedy performed—APAR, SIN (RAP optional), and RACR
- Assessment and control remedy performed (Closure Option B only)—APAR, RAP, RACR, and PRACR

4.4.4 Institutional Control

For either closure option, see *Institutional Controls* (RG-366/TRRP-16) for additional details.

4.4.4.1 Closure Option A

If applicable, include proof of filing in accordance with 30 TAC 350.31(g) or (h) for closure with release remediation based on commercial/industrial land use or long-term remedy, respectively, and generally 30 TAC 350.111.

4.4.4.2 Closure Option B

Include proof of Deed Recordation of waste disposal in accordance with 30 TAC 335.5 (see **5.0**, Model Deed Notice) for waste left in place and secured by a physical control (e.g., closure as landfill), and any applicable filing in accordance with 30 TAC 350 Subchapter F. Provisions to satisfy both Chapters 335 and 350 can be combined into a single institutional control document.

4.5 Professional Seals

Include the professional seal and signature, dated, of qualified professionals for all engineering, geoscientific, and surveying information submitted with the report [see 30 TAC 350.1(2)].

5.0 Model Deed Notice

STATE OF TEXAS

COUNTY OF _____

DEED NOTICE for INDUSTRIAL NONHAZARDOUS

SOLID WASTE DISPOSAL SITE

KNOW ALL MEN BY THESE PRESENTS THAT:

Pursuant to the rules of the Texas Commission on Environmental Quality (TCEQ) pertaining to industrial solid waste management, this document is

hereby filed in the deed records of _____ County, Texas in compliance with the notice requirements of Title 30, Texas Administrative Code (TAC), §335.5.

I.

[Company] has permanently deposited industrial nonhazardous solid waste on the land described herein. Exhibit A, attached hereto and incorporated herein by reference, provides a copy of the Notice of Registration pages for Solid Waste Registration No. _____, identifying the unit and waste(s) left in place.

II.

Being a _____-acre tract, more or less, out of the **[company]** held _____-acre tract in the **[name]** League, Abstract No. _____, recorded in Volume No. _____, Page No. _____, of the Deed Records of _____ County, Texas, said _____-acre tract being more particularly described in Exhibit B, attached hereto and incorporated herein by reference.

[Exhibit B gives a metes-and-bounds description of the tract where industrial nonhazardous solid waste was left in place and a plat map clearly demarcating the portions of the property that contain the waste unit. The map must contain a north arrow, a correlating map scale, and a legend identifying any used symbols or abbreviations. The metes-and-bounds description and plat map must be accompanied by a certification from a professional land surveyor registered by the Texas Board of Professional Surveying attesting to the accuracy of the descriptions.]

Wastes deposited on the above-described property have been classified as Industrial Nonhazardous Solid Waste Class **[1, 2, and/or 3]** in accordance with the waste classification requirements (30 TAC §§335.501–335.515).

III.

As of the date of this notice, the record owner of fee title to the property is **[company]** with an address of _____.

For additional information, contact:

Physical:	TCEQ	Mail:	TCEQ
	Central Records		MC 199
	12100 Park 35 Circle, Building E		PO Box 13087
	Austin, TX 78753		Austin, TX 78711-3087

This notice may be rendered of no further force or effect only by a superseding deed notice executed by the TCEQ or it successor agencies

and filed in the same real property records as those in which this deed notice is filed.

EXECUTED this _____ day of _____, ____.

[OWNER or RESPONDER]

By:_____

Name:_____

Title:_____

STATE OF TEXAS

COUNTY of _____

BEFORE ME, on this the _____ day of _____, ____, personally appeared **[name]**, **[title]**, of **[company]**, known to me to be the person whose name is subscribed to the foregoing instrument, and **[he/she]** acknowledged to me that **[he/she]** executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the _____ day of _____, _____.

_____

Notary Public in and for the State

of Texas, County of _____

My commission expires:_____