



## **CITY OF HOUSTON**

**DEPARTMENT OF PUBLIC WORKS AND ENGINEERING  
ENGINEERING AND CONSTRUCTION DIVISION**

### **STORM WATER POLLUTION PREVENTION PLAN**

**WATER LINE REPLACEMENT IN KICKERILLO AREA  
WBS NO.: S-000035-0185-4**



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**March 2015**

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# STORM WATER POLLUTION PREVENTION PLAN

## 1.0 Site Description

### 1.1 Description of Existing Conditions

The project involves construction of waterlines in Kickerillo Subdivision located in the west part of Houston.

Project location is generally bounded by Memorial Drive on the north, Buffalo Bayou on the south, North Kirkwood Road on the east, and Winter Oaks Drive on the west. The project area is primarily a residential area with single-family homes.

### 1.2 Description of Construction Activity

Work of the contract is for the construction of approximately 37,050 linear feet of water lines comprising of 880 linear feet of 4-inch, 1,780 linear feet of 6-inch water line, and 34,390 linear feet of 8-inch, including valves, fittings, connections, fire hydrants and appurtenances as shown on the construction drawings, Project Manual and/or instructed by the City Engineer and for construction of the service lines. The work also includes site and pavement restoration, tree protection, storm water pollution prevention, and traffic control in relation to the construction of the water line.

### 1.3 Sequence of Major Activity

Construction work can be divided into several major phases, which include: 1) trenchless construction of small diameter water lines; 2) open-cut construction of water lines; 3) service connections, and 4) street cut/pavement repairs. The Construction sequencing will be at the discretion of the Contractor.

### 1.4 Estimated Total Site Area and Total Disturbed Area

Assuming that approximately 35% of 37,050 linear feet by 5 feet wide will be disturbed, total estimated disturbed area is approximately 1.49 acres.

### 1.5 Runoff Coefficient

The project area is in residential neighborhood with approximate weighted "C" value of 0.55.

After the proposed construction of the water line the disturbed areas will be restored to previous conditions, thus the runoff coefficient will not change.

## 1.6 Soils

See Geotechnical Investigation Report prepared for this project for the soil information.

## 1.7 Site and General Location Map

The Vicinity and Site Maps are included in the Construction Drawings.

## 1.8 Name of Receiving Waters and Extent of Wetlands

The overland sheet flow within the project area is conveyed to Buffalo Bayou (W100-00-00) via a network of underground storm sewer systems on the west of Rancho Bauer Driver and roadside ditches on the east of Rancho Bauer Drive along project streets.

There are no documented wetlands within the project area. Any impacts to waters of United States, including wetlands, along the project alignment will be permitted through Section 404 of the Clean Water Act prior to commencement of construction.

## 1.9 Other Industrial Activities

There are no discharges associated with industrial activity other than construction.

## 1.10 Construction General Permit Requirements

A copy of March 5, 2003 Region 6 Construction General Permit is attached.

## 1.11 Endangered or Threatened Species or Critical Habitats

There are no known Endangered or Threatened Species or Critical Habitats that will be impacted by construction activities at this site.

## 1.12 National Register of Historic Places

The storm water discharges and related activities will not affect properties listed or eligible for listing on the National Register of Historic Places.

## 2.0 Controls

### 2.1 Erosion and Sediment Controls

Major erosion and sediment controls are as shown on the project drawings.

#### 2.1.1 Stabilization Practices

- As construction of sections of proposed improvements are completed and are not scheduled to be disturbed for 21 days, stabilization shall be completed as soon as practicable, but always within 14 days. Stabilization shall include hydro-mulching all disturbed areas.
- Stabilized construction entrances and exits will be constructed in accordance with specifications prior to commencement of construction work.
- The contractor will be required to minimize off-site vehicle tracking of sediments. If this occurs, the contractor shall remove and dispose of sediments tracked off-site.

#### 2.1.2 Structural Practices

- Trench excavation materials not immediately hauled off will be backfilled into the trenches in a continuous operation. Excavated material required for backfilling will be placed next to the trenches, but no closer than half the depth of the trench, for safety reasons.
- Reinforced fabric barriers will be used for sediment control along the road side ditches as well as drainage ditches/bayous that receive runoff from the proposed construction site.
- Filter fabric fence will be placed adjacent to construction areas where runoff from disturbed areas flows away from the site rather than into controlled road side ditches or storm sewers.
- All storm sewer inlets receiving sediment laden runoff shall have a Stage 1 or Stage 2 inlet protection barrier as applicable. Remove inlet protection barriers once the disturbed areas are stabilized.
- Road side ditches will be cleaned and graded to maintain existing flow patterns during stabilization operations.
- Where ground is flat and runoff is expected to be minimal, an existing vegetated filter strip will be left undisturbed.
- All wash water will be directed to a sediment pit prior to release into a drainage ditch or storm sewer.

#### 2.1.3 Sequence of Erosion and Sediment Control Activities

- Prior to commencement of construction work, stabilized construction entrances and exits will be installed. Required reinforced fabric barriers and filter fabric fences will be installed.

- During construction, erosion and sediment control devices will be regularly maintained and replaced as necessary.
- When construction activities in an area have been completed, disturbed areas will be hydromulched within 14 days.

## 2.2 Storm Water Management

Due to the fact that the proposed site will match existing conditions, permanent storm water treatment will not be used. Storm water will flow in its existing pattern.

## 2.3 Other Controls

### 2.3.1 Waste Disposal

#### **Waste Materials**

All trash and construction debris from the site will be disposed of offsite. The trash and debris will be hauled to an approved landfill. No construction waste material will be buried onsite.

#### **Hazardous Waste**

Conduct operations in Potentially Petroleum Contaminated Area (PPCA) in accordance with the accepted Environmental Work Plan and the Environmental Health and Safety Plan to minimize the spread of contamination. All work in PPCA shall be in accordance with Specifications 02105 and 02120.

#### **Sanitary Waste**

All sanitary waste will be regularly collected from portable units.

### 2.3.2 Offsite Vehicle Tracking

The contractor will be held responsible for reducing vehicle tracking of sediments. Stabilized construction access will be provided to help reduce vehicle tracking of sediments. Additionally, street cleaning will be done on all paved street surfaces in the project site on an on-going basis and to the extent necessary to keep adjacent streets clean of loose construction debris and soils.

### 2.3.3 Demonstration of Compliance with State and Local Regulations

The proposed project will be in compliance with applicable state and local waste disposal and sanitary sewer regulations.

### 2.3.4 Description of construction and waste materials to be stored onsite

Refer to Section 5.0.

### 2.3.5 Description of pollutant sources for support activities, and controls for them

This project will not involve support activities that will create pollutant sources.

### 2.3.6 Description of any necessary measures to protect listed endangered or threatened species or critical habitat, including any required terms or conditions as a result of threatened or endangered species/critical habitat review and coordination.

Endangered or threatened species or critical habitats have not been found within the project area.

## 2.4 Approved State or Local Plans

There are no approved states or local site plan requirements for storm water management or erosion and sediment control.

### 3.0 Maintenance

Refer to Section 2.1 for a discussion of erosion and sediment controls to be used on this project. The project drawings illustrate the location of each of the proposed stabilization and structural practices.

The following maintenance measures will be followed to ensure that the erosion and sediment controls listed in Section 2.1 are performing properly.

- Maintenance and repairs will be conducted within 24 hours of inspection report (see Section 4.0).
- Sediment will be removed from the barriers when it becomes about 1/3 the height of the device.
- Sediments will be removed from receiving waters as necessary.
- All temporary controls will be removed after the disturbed areas have been stabilized.

## 4.0 Inspection

### 4.1 Scope of Inspection for SWPPP

Contractor will designate a qualified person or persons to perform the following inspections:

- Disturbed areas and areas used for storage of materials that are exposed to precipitation will be inspected for evidence of, or the potential for, pollutants entering the drainage system.
- Erosion and sediment control measures identified in the plans will be observed to ensure that they are operating correctly.
- Where discharge locations or points are accessible, they will be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to receiving waters.
- Locations where vehicles enter or exit the site will be inspected for evidence of offsite sediment tracking.
- Filter fabric and reinforced fabric barriers will be inspected, as required, for the depth of sedimentation, tears in fabric, failure of wire attachment to posts, and fence post movement.

The inspection will be conducted by the responsible person at least once every 14 calendar days and within 24 hours after a storm with precipitation of 0.5 inch or greater. The Contractor shall be responsible for installing a rain tube, or other suitable device, to measure rainfall at the site at his own expense.

After a portion of the site is finally stabilized, inspection will be conducted at least once every month.

### 4.2 Revisions to Plan

Based on the results of the inspection, the site description (Section 1) and control measures (Section 2) of this Pollution Prevention Plan (PPP) will be revised as appropriate, but in no case later than 7 calendar days following the inspection.

### 4.3 Inspection Reports

A report summarizing the scope of the inspection, name(s) and qualifications of personnel making the inspection, the date(s) of the inspection, major observations related to the implementation of the storm water pollution prevention plan, and actions taken in accordance with Item 4.2 above will be made and retained as part of the storm water pollution prevention plan for at least three years from the date that the site is finally stabilized. The report will be signed by the inspector in accordance with Part VI.6 of the General Permit.

After each inspection, the inspector will complete the applicable inspection form and provide a copy of each form to the Project Manager.

Copies of the forms to be used for the inspection and Maintenance Report are included in Appendix E of this Pollution Prevention Plan (PPP).

## 5.0 Non-Storm Water Discharges

### 5.1 Inventory for Pollution Prevention Plan

The following substances listed below are expected to be present onsite during construction:

Aggregate		
Concrete	Fuels	Paints
Detergents	Lubricants	Cleaning Solvents
Fertilizers	Wood	Steel Products

#### 5.1.1 Authorized non-storm water discharge

Authorized non-storm water discharges anticipated during the project are listed as below.

- Water for vehicle washing or dust control.
- Irrigation drainage from watering vegetation.
- Pavement washwater (not from toxic or hazardous material spill areas).
- Potable water sources including water line flushings.

These effluents are to be controlled as required to minimize creation of sediment discharges to offsite drainage structures.

#### 5.1.2 Water pumped from trenches

Water pumped from trenches during dewatering operations will be discharged to a system with control measures in place prior to the receiving stream (i.e. swale ditch with reinforced fabric barrier).

### 5.2 Spill Prevention

The following are the material management practices that will be used to reduce the risk of spills or other accidental exposure of the materials and substances described above to storm water runoff.

#### 5.2.1 Good Housekeeping

The following good housekeeping practices will be followed onsite during the construction project.

- An effort will be made to store only enough product required to do the job.
- All materials stored onsite will be stored in a neat, orderly manner in their appropriate containers and, if possible, under a roof or other enclosure.

- Products will be kept in their original containers with the original manufacturer's label.
- Substances will not be mixed with one another unless recommended by the manufacturer.
- Wherever possible, all of a product will be used up before disposing of the container.
- Manufacturers' recommendations for proper use and disposal will be followed.
- The site superintendent will inspect daily to ensure proper use and disposal of material onsite.

#### 5.2.2 Hazardous Products

These practices will be used to reduce the risks associated with hazardous materials, if hazardous materials are used.

- Products will be kept in original containers unless they are not resealable.
- Original labels and material safety data will be retained.
- If surplus product must be disposed of, manufacturers' or local and State recommended methods for proper disposal will be followed.

#### 5.2.3 Product Specific Practices

The product specific practices to be followed are listed in Table 1 attached.

#### 5.2.4 Spill Prevention Practices

The spill prevention practices to be followed are listed in Table 1 attached.

## 6.0 Construction Specifications

Special specifications are included in the Project Manual.

The following specifications and drawings are used to comply with the SWPPP requirements and are included in the Contract Documents:

<u>Item No.</u>	<u>Description</u>
01410	TPDES Requirements
01570	Storm Water Pollution Control
01575	Stabilized Construction Exit
01576	Waste Material Disposal
01578	Control of Groundwater
02921	Hydromulch Seeding
02922	Sodding

  

<u>Sheet No.</u>	<u>Drawing Name</u>
131	Storm Water Pollution Prevention Plan (SP-1)
132	Storm Water Pollution Prevention Plan (SP-2)
133	Storm Water Pollution Prevention Plan (SP-3)
134	Storm Water Pollution Prevention Plan Details

## 7.0 Certifications

### 7.1 Sample certification forms required in the general permit.

Refer to Appendix B.

### 7.2 NOI Forms

Refer to Appendix C.

### 7.3 NOT Forms

Refer to Appendix D.

## 8.0 Inspections Forms

Refer to Appendix E.

**TABLE 1. PRODUCT SPECIFIC PRACTICES**

The following product specific practices will be followed on-site:	
Petroleum Products	All on-site vehicles will be monitored for leaks and receive regular preventative maintenance to reduce the chance of leakage. Petroleum products will be stored in tightly sealed containers which are clearly labeled. Any asphalt substances used on-site will be applied according to manufacturer's recommendations.
Fertilizers	Fertilizers used will be applied only in the minimum amounts recommended by the manufacturer. Once applied, fertilizer will be worked in the soil to limit exposure to storm water. Storage will be in a covered shed. The contents of any partially used bags of fertilizer will be transferred to a sealable plastic bag to avoid spills.
Paints	All containers will be tightly sealed and stored when not required for use. Excess paint will not be discharged to the storm sewer system but will be properly disposed of according to manufacturer's instructions.
Concrete Trucks	Concrete trucks will be allowed to wash out or discharge surplus concrete or drum wash water only at the designated site.

**TABLE 2. SPILL PREVENTION PRACTICES**

In addition to the good housekeeping and material management practices discussed in the previous sections of this plan, the following practices will be followed for spill prevention and cleanup:

- Manufacturer's recommended methods for spill cleanup will be clearly posted and site personnel will be made aware of the procedures and the location of the information and cleanup supplies.
- Materials and equipment necessary for spill cleanup will be kept in the material storage area on-site. Equipment and materials will include but not be limited to brooms, dust pans, mops, rags, gloves, goggles, kitty litter, sand, sawdust, and plastic and metal trash containers specifically for this purpose.
- All spills will be cleaned up immediately after discovery.
- The spill area will be kept well ventilated and personnel will wear appropriate protective clothing to prevent injury from contact with a hazardous substance.
- Spills of toxic or hazardous material will be reported to the appropriate state or local government agency, regardless of the site.
- The Spill Prevention Plan will be adjusted to include measures to prevent this type of spill from reoccurring and how to clean up the spill if there is another one. A description of the spill, what caused it, and the clean measures will also be included.
- The site superintendent responsible for the day-to-day site operations, will be the spill prevention and clean up coordinator. He will designate at least three other site personnel who will receive spill prevention and clean up training. These individuals will each become responsible for a particular phase of prevention and clean up. The names of responsible spill personnel will be posted in the material storage area and in the office trailer on-site.

**APPENDIX A**

**CONSTRUCTION GENERAL PERMIT**



# SMALL CONSTRUCTION SITE NOTICE

**FOR THE**  
**Texas Commission on Environmental Quality (TCEQ)**  
**Stormwater Program**  
**TPDES GENERAL PERMIT TXR150000**

The following information is posted in compliance with **Part II.E.2.** of the TCEQ General Permit Number TXR150000 for discharges of stormwater runoff from small construction sites. Additional information regarding the TCEQ stormwater permit program may be found on the internet at:

[http://www.tceq.state.tx.us/nav/permits/wq\\_construction.html](http://www.tceq.state.tx.us/nav/permits/wq_construction.html)

Operator Name:	
Contact Name and Phone Number:	
Project Description: <i>Physical address or description of the site's location, estimated start date and projected end date, or date that disturbed soils will be stabilized</i>	
Location of Stormwater Pollution Prevention Plan:	

For Small Construction Activities Authorized Under Part II.E.2. (Obtaining Authorization to Discharge) the following certification must be completed:

I \_\_\_\_\_ (Typed or Printed Name Person Completing This Certification) certify under penalty of law that I have read and understand the eligibility requirements for claiming an authorization under Part II.E.2. of TPDES General Permit TXR150000 and agree to comply with the terms of this permit. A stormwater pollution prevention plan has been developed and will be implemented prior to construction, according to permit requirements. A copy of this signed notice is supplied to the operator of the MS4 if discharges enter an MS4. I am aware there are significant penalties for providing false information or for conducting unauthorized discharges, including the possibility of fine and imprisonment for knowing violations.

Signature and Title \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ Date Notice Removed

\_\_\_\_\_ MS4 operator notified per Part II.F.3.

**APPENDIX B**  
**CERTIFICATION FORMS**

**(NOTE: COMPLETE PRIOR TO CONSTRUCTION)**

**OWNER (CITY OF HOUSTON) CERTIFICATION**

Project Name and Location:

Project Name: WATER LINE REPLACEMENT IN KICKERILLO AREA  
WBS No.: S-000035-0185-4

Location: Memorial Drive on the north, Buffalo Bayou on the south, North Kirkwood Road on the east, and Winter Oaks Drive on the west

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 gathered and evaluated the information submitted. Based on my inquiry of that 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 that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signed: \_\_\_\_\_  
*City of Houston Official*

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

**(NOTE: COMPLETE PRIOR TO CONSTRUCTION)**

**OPERATOR (GENERAL CONTRACTOR) CERTIFICATION**

Project Name and Location:

Project Name: WATER LINE REPLACEMENT IN KICKERILLO AREA  
WBS No.: S-000035-0185-4

Location: Memorial Drive on the north, Buffalo Bayou on the south, North Kirkwood Road on the east, and Winter Oaks Drive on the west

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 gathered and evaluated the information submitted. Based on my inquiry of that 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 that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

General Contractor:

Responsible For:

\_\_\_\_\_  
Company

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**(NOTE: COMPLETE PRIOR TO CONSTRUCTION)**

**SUBCONTRACTOR CERTIFICATION**

Project Name and Location:

Project Name: WATER LINE REPLACEMENT IN KICKERILLO AREA  
WBS No.: S-000035-0185-4

Location: Memorial Drive on the north, Buffalo Bayou on the south, North Kirkwood Road on the east, and Winter Oaks Drive on the west

I certify under penalty of law that I understand the terms and conditions of the General National Pollutant Discharge Elimination System (NPDES) Permit that authorizes the storm water discharges associated with the industrial activity from the construction site identified as part of this certification.

Subcontractor:

Responsible For:

\_\_\_\_\_  
Company

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Subcontractor:

Responsible For:

\_\_\_\_\_  
Company

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**(NOTE: COMPLETE PRIOR TO CONSTRUCTION)**

**CONTRACTOR'S SWPPP INSPECTOR CERTIFICATION**

Project Name and Location:

Project Name: WATER LINE REPLACEMENT IN KICKERILLO AREA  
WBS No.: S-000035-0185-4

Location: Memorial Drive on the north, Buffalo Bayou on the south, North Kirkwood Road on the east, and Winter Oaks Drive on the west

I certify under penalty of law that this document and all attachments were prepared under my direction of supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated 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 that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

General Contractor's SWPPP Inspector:

\_\_\_\_\_  
Company

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

(This certification shall be signed by the General Contractor's SWPPP inspector and attached to each Inspection and Maintenance Report.)



**APPENDIX C**

**NOTICE OF INTENT (NOI) FORMS**



# TCEQ Notice of Intent (NOI) for Stormwater Discharges Associated with Construction Activity under TPDES General Permit (TXR150000)

## IMPORTANT:

- Use the [INSTRUCTIONS](#) to fill out each question in this form.
- Use the [CHECKLIST](#) to make certain all you filled out all required information. Incomplete applications **WILL** delay approval or result in automatic denial.
- Once processed your permit can be viewed at:  
[http://www2.tceq.texas.gov/wq\\_dpa/index.cfm](http://www2.tceq.texas.gov/wq_dpa/index.cfm)

**ePERMITS:** Sign up now for online NOI: <https://www3.tceq.texas.gov/steers/index.cfm>  
Pay a \$225 reduced application fee by using ePermits.

## APPLICATION FEE:

- You must pay the **\$325** Application Fee to TCEQ for the paper application to be complete.
- Payment and NOI must be mailed to separate addresses.
- Did you know you can pay on line?
  - Go to <https://www3.tceq.texas.gov/epay/index.cfm>
  - Select Fee Type: GENERAL PERMIT CONSTRUCTION STORM WATER DISCHARGE NOI APPLICATION
- **Provide your payment information below, for verification of payment:**

Mailed	Check/Money Order No.: _____	
	Name Printed on Check: _____	
EPAY	Voucher No.: _____	
	Is the Payment Voucher copy attached?	Yes

**RENEWAL: Is this NOI a Renewal of an existing General Permit Authorization? (Note: A permit cannot be renewed after June 3, 2013.)**

Yes    The Permit number is: TXR15\_\_\_\_\_ **(If a permit number is not provided, a new number will be assigned.)**  
No

## 1) OPERATOR (Applicant)

**a)** If the applicant is currently a customer with TCEQ, what is the Customer Number (CN) issued to this entity? You may search for your CN at:  
<http://www12.tceq.texas.gov/crpub/index.cfm?fuseaction=cust.CustSearch>

CN \_\_\_\_\_

**b)** 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.)

**c)** What is the name and title of the person signing the application? The person must be an executive official meeting signatory requirements in TAC 305.44(a).

Prefix (Mr. Ms. Miss): \_\_\_\_\_

First/Last Name: \_\_\_\_\_ Suffix: \_\_\_\_\_

Title: \_\_\_\_\_ Credential: \_\_\_\_\_

**d)** What is the Operator Contact's (Responsible Authority) contact information and mailing address as recognized by the US Postal Service (USPS)? You may verify the address at:

<http://zip4.usps.com/zip4/welcome.jsp>

Phone #: \_\_\_\_\_ ext: \_\_\_\_\_ Fax #: \_\_\_\_\_

E-mail: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Internal Routing (Mail Code, Etc.): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP Code: \_\_\_\_\_

If outside USA: Territory: \_\_\_\_\_ Country Code: \_\_\_\_\_ Postal Code: \_\_\_\_\_

**e)** Indicate the type of Customer (The instructions will help determine your customer type):

Individual	Limited Partnership	Sole Proprietorship-DBA
Joint Venture	General Partnership	Corporation
Trust	Estate	Federal Government
State Government	County Government	City Government
Other Government		

**f)** Independent Operator? Yes                  No  
(If governmental entity, subsidiary, or part of a larger corporation, check "No".)

**g)** Number of Employees: 0-20; 21-100; 101-250; 251-500; or 501 or higher

**h)** Customer Business Tax and Filing Numbers:  
(REQUIRED for Corporations and Limited Partnerships. Not Required for Individuals, Government, or Sole Proprietors)

State Franchise Tax ID Number: \_\_\_\_\_

Federal Tax ID: \_\_\_\_\_

Texas Secretary of State Charter (filing) Number: \_\_\_\_\_

DUNS Number (if known): \_\_\_\_\_

## 2) APPLICATION CONTACT

If TCEQ needs additional information regarding this application, who should be contacted?

Is the application contact the same as the applicant identified above?

Yes, go to Section 3).      No, complete section below.

Prefix (Mr. Ms. Miss): \_\_\_\_\_

First/Last Name: \_\_\_\_\_ Suffix: \_\_\_\_\_

Title: \_\_\_\_\_ Credential: \_\_\_\_\_

Organization Name: \_\_\_\_\_  
Phone No.: \_\_\_\_\_ ext: \_\_\_\_\_ Fax Number: \_\_\_\_\_  
E-mail: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Internal Routing (Mail Code, Etc.): \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP Code: \_\_\_\_\_  
Mailing Information if outside USA:  
Territory: \_\_\_\_\_ Country Code: \_\_\_\_\_ Postal Code: \_\_\_\_\_

**3) REGULATED ENTITY (RE) INFORMATION ON PROJECT OR SITE**

If the site of your business is part of a larger business site or if other businesses were located at this site before yours, a Regulated Entity Number (RN) may already be assigned for the larger site. Use the RN assigned for the larger site. Search TCEQ's Central Registry to see if the larger site may already be registered as a regulated site at:

<http://www12.tceq.texas.gov/crpub/index.cfm?fuseaction=regent.RNSearch>.

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

**a)** TCEQ issued RE Reference Number (RN): RN \_\_\_\_\_

**b)** Name of project or site (the name known by the community where located):  
\_\_\_\_\_

**c)** In your own words, briefly describe the primary business of the Regulated Entity: (Do not repeat the SIC and NAICS code):  
\_\_\_\_\_

**d)** County (or counties if > 1) \_\_\_\_\_

**e)** Latitude: \_\_\_\_\_ Longitude: \_\_\_\_\_

**f)** Does the site have a physical address?  
Yes, complete Section A for a physical address.  
No, complete Section B for site location information.

**Section A:** Enter the physical address for the site.  
Verify the address with USPS. If the address is not recognized as a delivery address, provide the address as identified for overnight mail delivery, 911 emergency or other online map tools to confirm an address.

Physical Address of Project or Site:  
Street Number: \_\_\_\_\_ Street Name: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP Code: \_\_\_\_\_

**Section B:** Enter the site location information.

If no physical address (Street Number & Street Name), provide a written location access description to the site. (Ex.: located 2 miles west from intersection of Hwy 290 & IH35 accessible on Hwy 290 South)

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City where the site is located or, if not in a city, what is the nearest city:

State: \_\_\_\_\_ ZIP Code where the site is located: \_\_\_\_\_

**4) GENERAL CHARACTERISTICS**

**a)** Is the project/site located on Indian Country Lands?

Yes - If the answer is Yes, you must obtain authorization through EPA, Region 6.

No

**b)** Is your construction activity associated with a facility that, when completed, would be associated with the exploration, development, or production of oil or gas or geothermal resources?

Yes - If the answer is Yes, you may be under jurisdiction of the Railroad Commission of Texas and may need to obtain authorization through EPA, Region 6.

No

**c)** What is the Primary Standard Industrial Classification (SIC) Code that best describes the construction activity being conducted at the site?

Primary SIC Code: \_\_\_\_\_

**d)** If applicable, what is the Secondary SIC Code(s): \_\_\_\_\_

**e)** What is the total number of acres disturbed? \_\_\_\_\_

**f)** Is the project site part of a larger common plan of development or sale?

Yes - If the answer is Yes, the total number of acres disturbed can be less than 5 acres.

No - If the answer is No, the total number of acres disturbed must be 5 or more. If the total number of acres disturbed is less than 5 then the project site does not qualify for coverage through this Notice of Intent. Coverage will be denied. See the requirements in the general permit for small construction sites.

**g)** What is the name of the first water body(s) to receive the stormwater runoff or potential runoff from the site?

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**h)** What is the segment number(s) of the classified water body(s) that the discharge will eventually reach?

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**i)** Is the discharge into an MS4?

Yes - If the answer is Yes, provide the name of the MS4 operator below.

No

If Yes, provide the name of the MS4 operator:

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Note: The general permit requires you to send a copy of the NOI to the MS4 operator.

**j)** Are any of the surface water bodies receiving discharges from the construction site on the latest EPA-approved CWA 303(d) List of impaired waters?

Yes - If the answer is Yes, provide the name(s) of the impaired water body(s) below.

No

If Yes, provide the name(s) of the impaired water body(s):

**k)** Is the discharge or potential discharge within the Recharge Zone, Contributing Zone, or Contributing Zone within the Transition Zone of the Edwards Aquifer as defined in 30 TAC Chapter 213?

Yes - If the answer is Yes, complete certification below by checking "Yes."

No

I certify that a copy of the TCEQ approved Plan required by the Edwards Aquifer Rule (30 TAC Chapter 213) is either included or referenced in the Stormwater Pollution Prevention Plan.

Yes

**5) CERTIFICATION**

Check Yes to the certifications below. Failure to indicate Yes to **ALL** items may result in denial of coverage under the general permit.

- a) I certify that I have obtained a copy and understand the terms and conditions of the Construction General Permit (TXR150000). Yes
- b) I certify that the full legal name of the entity applying for this permit has been provided and is legally authorized to do business in Texas. Yes
- c) I understand that a Notice of Termination (NOT) must be submitted when this authorization is no longer needed. Yes
- d) I certify that a Stormwater Pollution Prevention Plan has been developed, will be implemented prior to construction and to the best of my knowledge and belief is compliant with any applicable local sediment and erosion control plans, as required in the general permit TXR150000. Note: For multiple operators who prepare a shared SWP3, the confirmation of an operator may be limited to its obligations under the SWP3 provided all obligations are confirmed by at least one operator. Yes

**Operator Certification:**

I, \_\_\_\_\_  
Typed or printed name Title

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: \_\_\_\_\_ Date: \_\_\_\_\_  
*(Use blue ink)*

## NOTICE OF INTENT CHECKLIST (TXR150000)

- Did you complete everything? Use this checklist to be sure!
- Are you ready to mail your form to TCEQ? Go to the General Information Section of the Instructions for mailing addresses.

This checklist is for use by the operator to ensure a complete application. Missing information may result in denial of coverage under the general permit. (See NOI process description in the Instructions)

### Application Fee:

If paying by Check:

Check was mailed **separately** to the TCEQs Cashier's Office. (See Instructions for Cashier's address and Application address.)

Check number and name on check is provided in this application.

If using ePay:

The voucher number is provided in this application or a copy of the voucher is attached.

### PERMIT NUMBER:

Permit number provided – if this application is for renewal of an existing authorization.

### OPERATOR INFORMATION - Confirm each item is complete:

Customer Number (CN) issued by TCEQ Central Registry

Legal name as filed to do business in Texas (Call TX SOS 512/463-5555)

Name and title of responsible authority signing the application

Mailing address is complete & verifiable with USPS. [www.usps.com](http://www.usps.com)

Phone numbers/e-mail address

Type of operator (entity type)

Independent operator

Number of employees

For corporations or limited partnerships – Tax ID and SOS filing numbers

Application contact and address is complete & verifiable with USPS. <http://www.usps.com>

### REGULATED ENTITY (RE) INFORMATION ON PROJECT OR SITE - Confirm each item is complete:

Regulated Entity Reference Number (RN) (if site is already regulated by TCEQ)

Site/project name/regulated entity

Latitude and longitude <http://www.tceq.texas.gov/gis/sqmaview.html>

County

Site/project physical address. Do not use a rural route or post office box.

Business description

### GENERAL CHARACTERISTICS - Confirm each item is complete:

Indian Country Lands –the facility is not on Indian Country Lands

Construction activity related to facility associated to oil, gas, or geothermal resources

Standard Industrial Classification (SIC) Code [www.osha.gov/oshstats/sicsr.html](http://www.osha.gov/oshstats/sicsr.html)

Acres disturbed is provided and qualifies for coverage through a NOI

Common plan of development or sale

Receiving water body(s)

Segment number(s)

Impaired water body(s)

MS4 operator

Edwards Aquifer rule

### CERTIFICATION

Certification statements have been checked indicating “Yes”

Signature meets 30 Texas Administrative Code (TAC) 305.44 and is original.

# Notice of Intent (NOI) for Stormwater Discharges Associated with Construction Activity under TPDES General Permit (TXR150000)

## General Information and Instructions

### GENERAL INFORMATION

#### Where to Send the Notice of Intent (NOI):

BY REGULAR U.S. MAIL	BY OVERNIGHT/EXPRESS MAIL
Texas Commission on Environmental Quality	Texas Commission on Environmental Quality
Stormwater Processing Center (MC228)	Stormwater Processing Center (MC228)
P.O. Box 13087	12100 Park 35 Circle
Austin, Texas 78711-3087	Austin, TX 78753

#### TCEQ Contact List:

Application – status and form questions:	512/239-3700, <a href="mailto:swpermit@tceq.texas.gov">swpermit@tceq.texas.gov</a>
Technical questions:	512/239-4671, <a href="mailto:swgp@tceq.texas.gov">swgp@tceq.texas.gov</a>
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 Intent Process:

When your NOI is received by the program, the form will be processed as follows:

- 1) Administrative Review:** Each item on the form will be reviewed for a complete response. In addition, the operator'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 as receiving regular mail delivery. Never 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 operator. The operator will have 30 days to respond to the NOD. The response will be reviewed for completeness.
- 3) Acknowledgment of Coverage:** An Acknowledgment Certificate will be mailed to the operator. This certificate acknowledges coverage under the general permit.  
-OR-  
**Denial of Coverage:** If the operator fails to respond to the NOD or the response is inadequate, coverage under the general permit may be denied. If coverage is denied, the operator will be notified.

#### General Permit (Your Permit)

For NOIs submitted **electronically** through ePermits, provisional coverage under the general permit begins immediately following confirmation of receipt of the NOI form by the TCEQ.

For **paper** NOIs, provisional coverage under the general permit begins **7 days after a completed NOI is postmarked for delivery** to the TCEQ.

You should have a copy of your general permit when submitting your application. You may view and print your permit for which you are seeking coverage, on the TCEQ web site <http://www.tceq.texas.gov>. Search using key word TXR150000.

### **General Permit Forms**

The Notice of Intent (NOI), Notice of Termination (NOT), and Notice of Change (NOC) (including instructions) are available in Adobe Acrobat PDF format on the TCEQ web site <http://www.tceq.texas.gov>.

### **Change in Operator**

An authorization under the general permit is not transferable. If the operator of the regulated entity changes, the present permittee must submit a Notice of Termination and the new operator must submit a Notice of Intent. The NOT and NOI must be submitted no later than 10 days prior to the change in Operator status.

### **TCEQ Central Registry Core Data Form**

The Core Data Form has been incorporated into this form. Do not send a Core Data Form to TCEQ. After final acknowledgment of coverage under the general permit, the program will assign a Customer Number and Regulated Entity Number.

You can find the information on the Central Registry web site at <http://www12.tceq.texas.gov/crpub/index.cfm>. You can search by the Regulated Entity (RN), Customer Number (CN) or Name (Permittee), or by your permit number under the search field labeled "Additional ID". Capitalize all letters in the permit number.

The Customer (Permittee) is responsible for providing consistent information to the TCEQ, and for updating all CN and RN data for all authorizations as changes occur. For General Permits, a Notice of Change form must be submitted to the program area.

### **Fees associated with a 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).

**Application Fee:** This fee is required to be paid at the time the NOI 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.

#### **Mailed Payments:**

Payment must be mailed under separate cover at one of the addresses below using the attached Application Fee submittal form. (DO NOT SEND A COPY OF THE NOI WITH THE APPLICATION FEE SUBMITTAL FORM)

#### **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

ePAY Electronic Payment: <http://www.tceq.texas.gov/epay>

When making the payment you must select Water Quality, and then select the fee category “General Permit Construction Storm Water Discharge NOI Application”. You must include a copy of the payment voucher with your NOI. Your NOI will not be considered complete without the payment voucher.

## INSTRUCTIONS FOR FILLING OUT THE NOI FORM

**Renewal of General Permit.** Dischargers holding active authorizations under the expired General Permit are required to submit a NOI to continue coverage. The existing permit number is required. If the permit number is not provided or has been terminated, expired, or denied a new permit number will be issued.

### 1. Operator (Applicant)

#### a) Enter assigned Customer Number (CN)

TCEQ’s Central Registry will assign each customer a number that begins with CN, followed by nine digits. **This is not a permit number, registration number, or license number.**

If this customer has not been assigned a CN, leave the space for the CN blank.

If this customer has already been assigned this number, enter the permittee’s CN.

#### b) Legal Name

Provide the current legal name of the permittee, as authorized to do business in Texas. The name must be provided exactly as filed with the Texas Secretary of State (SOS), or on other legal documents forming the entity, that is filed in the county where doing business. You may contact the SOS at 512/463-5555, for more information related to filing in Texas. If filed in the county where doing business, provide a copy of the legal documents showing the legal name.

#### c) Person Signing Application

Provide information about person signing section 5) Certification.

#### d) Operator Contact’s (Responsible Authority) Contact Information and Mailing Address

Provide a complete mailing address for receiving mail from the TCEQ. The address must be verifiable with the US Postal Service at <http://www.usps.com> for regular mail delivery (not overnight express mail). If you find that the address is not verifiable using the USPS web search, please indicate the address is used by the USPS for regular mail delivery.

The area code and phone number should provide contact to the operator. Leave Extension blank if not applicable.

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

#### e) Type of Customer (Entity Type)

Check only one box that identifies the type of entity. Use the descriptions below to identify the appropriate entity type. Note that the selected entity type also indicates the name that must be provided as an applicant for a permit, registration or authorization.

### **Sole Proprietorship – DBA**

A sole proprietorship is a customer that is owned by only one person and has not been incorporated. This business may:

- be under the person's name
- have its own name (doing business as or d.b.a.)
- have any number of employees

If the customer is a Sole Proprietorship or DBA, the 'legal name' of the individual business 'owner' must be provided. The DBA name is not recognized as the 'legal name' of the entity. The DBA name may be used for the site name (regulated entity).

### **Individual**

An individual is a customer who has not established a business, but conducts an activity that needs to be regulated by the TCEQ.

### **Partnership**

- A customer that is established as a partnership as defined by the Texas Secretary of State Office (TX SOS). A Limited Partnership or Limited Liability Partnership (Partnership) is required to file with the Texas Secretary of State. A General Partnership or Joint Venture is not required to register with the state.
- **Partnership (Limited Partnership or Limited Liability Partnership):** A limited partnership is defined in the Act as a partnership formed by two or more persons under the provisions of Section 3 of the Uniform Limited Partnership Act (Art. 6132a, Revised Civil Statutes of Texas) and having as members one or more general partners and one or more limited partners. The limited partners as such are not bound by the obligations of the partnership. Limited partners may not take part in the day-to-day operations of the business. A Limited Partnership must file with the Texas Secretary of State. A registered limited liability partnership is a general or limited partnership that is registered with the Texas Secretary of State. The partnership's name must contain the words "Registered Limited Liability Partnership" or the abbreviation "L.L.P." as the last words or letters of its name.
- **General Partnership:** A general partner may or may not invest, participates in running the partnership and is liable for all acts and debts of the partnership and any member of it. A General Partnership does not have limited partners. For a General Partnership, there is no registration with the state or even written agreement necessary for a general partnership to be formed. The legal definition of a partnership is generally stated as "an association of two or more persons to carry on as co-owners a business for profit" (Revised Uniform Partnership Act § 101 [1994]).
- **Joint Venture:** A joint venture is but another name for a special partnership. It might be distinguished from a general partnership in that the latter is formed for the transaction of a general business, while a joint venture is usually limited to a single transaction. That is, a joint venture is a special combination of persons in the nature of a partnership engaged in the joint prosecution of a particular transaction for mutual benefit or profit.

### **Corporation**

A customer meets all of these conditions:

- is a legally incorporated entity under the laws of any state or country
- is recognized as a corporation by the Texas Secretary of State

- has proper operating authority to operate in Texas.
- The corporation's 'legal name' as filed with the Texas Secretary of State must be provided as applicant. An 'assumed' name of a corporation is not recognized as the 'legal name' of the entity.

**Government**

Federal, state, county, or city government (as appropriate)

The customer is either an agency of one of these levels of government or the governmental body itself. The government agency's 'legal name' must be provided as the applicant. A department name or other description of the organization should not be included as a part of the 'legal name' as applicant.

**Trust or Estate**

A trust and an estate are fiduciary relationships governing the trustee/executor with respect to the trust/estate property.

**Other Government**

A utility district, water district, tribal government, college district, council of governments, or river authority. Write in the specific type of government.

**f) Independent Entity**

Check No if this customer is a subsidiary, part of a larger company, or is a governmental entity. Otherwise, check Yes.

**g) Number of Employees**

Check one box to show the number of employees for this customer's entire company, at all locations. This is not necessarily the number of employees at the site named in the application.

**h) Customer Business Tax and Filing Numbers**

These are required for Corporations and Limited Partnerships. These are not required for Individuals, Government, and Sole Proprietors.

**State Franchise Tax ID Number**

Corporations and limited liability companies that operate in Texas are issued a franchise tax identification number. If this customer is a corporation or limited liability company, enter this number here.

**Federal Tax ID**

All businesses, except for some small sole proprietors, individuals, or general partnerships should have a federal taxpayer identification number (TIN). Enter this number here. Use no prefixes, dashes, or hyphens. Sole proprietors, individuals, or general partnerships do not need to provide a federal tax ID.

**TX SOS Charter (filing) Number**

Corporations and Limited Partnerships required to register with the Texas Secretary of State are issued a charter or filing number. You may obtain further information by calling SOS at 512/463-5555.

**DUNS Number**

Most businesses have a DUNS (Data Universal Numbering System) number issued by Dun and Bradstreet Corp. If this customer has one, enter it here.

## **2. APPLICATION CONTACT**

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

## **3. REGULATED ENTITY (RE) INFORMATION ON PROJECT OR SITE**

### **a) Regulated Entity Reference Number (RN)**

A number issued by TCEQ's Central Registry to sites (a location where a regulated activity occurs) regulated by TCEQ. This is not a permit number, registration number, or license number. 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, a Regulated Entity Number (RN) may already be assigned for the larger site. Use the RN assigned for the larger site. Search TCEQ's Central Registry to see if the larger site may already be registered as a regulated site at: <http://www12.tceq.texas.gov/crpub/index.cfm?fuseaction=regent.RNSearch>

If the site is found, provide the assigned Regulated Entity Reference Number (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.

### **b) Site/Project Name/Regulated Entity**

Provide the name of the site 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.

### **c) Description of Activity Regulated**

In your own words, briefly describe the primary business that you are doing that requires this authorization. Do not repeat the SIC Code description.

### **d) County**

Identify the county or counties in which the regulated entity is located.

### **e) Latitude and Longitude**

Enter the latitude and longitude of the site in degrees, minutes, and seconds or decimal form. For help obtaining the latitude and longitude, go to:

<http://www.tceq.texas.gov/gis/sqmaview.html> or <http://nationalmap.gov/ustopo>

### **f) Site/Project (RE) Physical Address/Location Information**

Enter the complete address for the site in Section A if the address can be validated through the US Postal Service. If the physical address is not recognized as a USPS delivery address, you may need to validate the address with your local police (911 service) or through an online map site used to locate a site. Please confirm this to be a complete and valid address. Do not use a rural route or post office box for a site location.

If a site does not have an address that includes a street (or house) number and street name, enter NO ADDRESS for the street name in Section A. In Section B provide a complete written location description. For example: "The site is located 2 miles west from intersection of Hwy 290 & IH35, located on the southwest corner of the Hwy 290 South bound lane."

Provide the city (or nearest city) and zip code of the facility location.

#### **4. GENERAL CHARACTERISTICS**

##### **a) Indian Country Lands**

If your site is located on Indian Country Lands, the TCEQ does not have authority to process your application. You must obtain authorization through EPA, Region 6, Dallas. Do not submit this form to TCEQ.

##### **b) Construction activity associated with facility associated with exploration, development, or production of oil, gas, or geothermal resources**

If your activity is associated with oil and gas exploration, development, or production, you may be under jurisdiction of the Railroad Commission of Texas and may need to obtain authorization from EPA Region 6. For more information, see:

[http://info.sos.state.tx.us/pls/pub/readtac\\$ext.TacPage?sl=R&app=9&p\\_dir=&p\\_rloc=&p\\_tloc=&p\\_ploc=&pg=1&p\\_tac=&ti=16&pt=1&ch=3&rl=30](http://info.sos.state.tx.us/pls/pub/readtac$ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=16&pt=1&ch=3&rl=30)

Construction activities associated with a facility related to oil, gas or geothermal resources may include the construction of a well site; treatment or storage facility; underground hydrocarbon or natural gas storage facility; reclamation plant; gas processing facility; compressor station; terminal facility where crude oil is stored prior to refining and at which refined products are stored solely for use at the facility; a carbon dioxide geologic storage facility; and a gathering, transmission, or distribution pipeline that will transport crude oil or natural gas, including natural gas liquids, prior to refining of such oil or the use of the natural gas in any manufacturing process or as a residential or industrial fuel.

Where required by federal law, discharges of stormwater associated with construction activities under the Railroad Commission's jurisdiction must be authorized by the EPA and the Railroad Commission of Texas, as applicable. Activities under Railroad Commission of Texas jurisdiction include construction of a facility that, when completed, would be associated with the exploration, development, or production of oil or gas or geothermal resources, such as a well site; treatment or storage facility; underground hydrocarbon or natural gas storage facility; reclamation plant; gas processing facility; compressor station; terminal facility where crude oil is stored prior to refining and at which refined products are stored solely for use at the facility; a carbon dioxide geologic storage facility under the jurisdiction of the Railroad Commission of Texas; and a gathering, transmission, or distribution pipeline that will transport crude oil or natural gas, including natural gas liquids, prior to refining of such oil or the use of the natural gas in any manufacturing process or as a residential or industrial fuel. The Railroad Commission of Texas also has jurisdiction over stormwater from land disturbance associated with a site survey that is conducted prior to construction of a facility that would be regulated by the Railroad Commission of Texas. Under 33 U.S.C. §1342(l)(2) and §1362(24), EPA cannot require a permit for discharges of stormwater from "field activities or operations associated with {oil and gas} exploration, production, processing, or treatment operations, or transmission facilities, including activities necessary to prepare a site for drilling and for the movement and placement of drilling equipment, whether or not such field activities or operations may be considered to be construction activities" unless the discharge is contaminated by contact with any overburden, raw material, intermediate product, finished product, byproduct, or waste product located on the site of the facility. Under §3.8 of this title (relating to Water Protection), the Railroad

Commission of Texas prohibits operators from causing or allowing pollution of surface or subsurface water. Operators are encouraged to implement and maintain best management practices (BMPs) to minimize discharges of pollutants, including sediment, in stormwater during construction activities to help ensure protection of surface water quality during storm events.

**c) Primary Standard Industrial Classification (SIC) Code**

Provide the SIC Code that best describes the construction activity being conducted at this site.

Common SIC Codes related to construction activities include:

- 1521 - Construction of Single Family Homes
- 1522 - Construction of Residential Bldgs. Other than Single Family Homes
- 1541 - Construction of Industrial Bldgs. and Warehouses
- 1542 - Construction of Non-residential Bldgs, other than Industrial Bldgs. and Warehouses
- 1611 - Highway and Street Construction, except Highway Construction
- 1622 - Bridge, Tunnel, and Elevated Highway Construction
- 1623 - Water, Sewer, Pipeline and Communications, and Power Line Construction

For help with SIC Codes, go to:

<http://www.osha.gov/pls/imis/sicsearch.html>

**d) Secondary SIC Code**

Secondary SIC Code(s) may be provided. Leave blank if not applicable. For help with SIC Codes, go to:

<http://www.osha.gov/pls/imis/sicsearch.html>

**e) Total Number of Acres Disturbed**

Provide the approximate number of acres that the construction site will disturb. Construction activities that disturb less than one acre, unless they are part of a larger common plan that disturbs more than one acre, do not require permit coverage. Construction activities that disturb between one and five acres, unless they are part of a common plan that disturbs more than five acres, do not require submission of an NOI. Therefore, the estimated area of land disturbed should not be less than five, unless the project is part of a larger common plan that disturbs five or more acres. Disturbed means any clearing, grading, excavating, or other similar activities.

If you have any questions about this item, please contact the stormwater technical staff by phone at (512)239-4671 or by email at [swgp@tceq.texas.gov](mailto:swgp@tceq.texas.gov).

**f) Common Plan of Development**

Construction activities that disturb less than five acres do not require submission of an NOI unless they are part of a common plan of development or for sale where the area disturbed is five or more acres. Therefore, the estimated area of land disturbed should not be less than five, unless the project is part of a larger common plan that disturbs five or more acres. Disturbed means any clearing, grading, excavating, or other similar activities.

For more information on "What is a common plan of development?" go to:

[www.tceq.texas.gov/permitting/stormwater/common\\_plan\\_of\\_development\\_steps.html](http://www.tceq.texas.gov/permitting/stormwater/common_plan_of_development_steps.html)

For further information, go to the TCEQ stormwater construction webpage at:

[www.tceq.texas.gov/goto/construction](http://www.tceq.texas.gov/goto/construction) and search for "Additional Guidance and Quick Links". If

you have any further questions about this item, please call the stormwater technical staff at (512)239-4671.

**g) Identify the water body(s) receiving stormwater runoff**

The stormwater may be discharged directly to a receiving stream or through a MS4 from your site. It eventually reaches a receiving water body such as a local stream or lake, possibly via a drainage ditch. You must provide the name of the water body that receives the discharge from the site (a local stream or lake).

If your site has more than one outfall you need to include the name of the first water body for each outfall, if they are different.

**h) Identify the segment number(s) of the classified water body(s)**

Identify the classified segment number(s) receiving a discharge directly or indirectly. Go to the following link to find the segment number of the classified water body where stormwater will flow from the site: [www.tceq.texas.gov/waterquality/monitoring/viewer.html](http://www.tceq.texas.gov/waterquality/monitoring/viewer.html)

You may also find the segment number in TCEQ publication GI-316:  
[www.tceq.texas.gov/publications/gi/gi-316](http://www.tceq.texas.gov/publications/gi/gi-316)

If the discharge is into an unclassified receiving water and then crosses state lines prior to entering a classified segment, select the appropriate watershed:

- 0100 (Canadian River Basin)
- 0200 (Red River Basin)
- 0300 (Sulfur River Basin)
- 0400 (Cypress Creek Basin)
- 0500 (Sabine River Basin)

Call the Water Quality Assessments section at (512)239-4671 for further assistance.

**i) Discharge into MS4 – Identify the MS4 Operator**

The discharge may initially be into a municipal separate storm sewer system (MS4). If the stormwater discharge is into an MS4, provide the name of the entity that operates the MS4 where the stormwater discharges. An MS4 operator is often a city, town, county, or utility district, but possibly can be another form of government. Please note that the Construction General Permit requires the Operator to supply the MS4 with a copy of the NOI submitted to TCEQ. For assistance, you may call the technical staff at (512)239-4671.

**j) Surface Water bodies on list of impaired waters – Identify the impaired water body(s)**

Indicate Yes or No if any surface water bodies receiving discharges from the construction site are on the latest EPA-approved CWA 303(d) List of impaired waters. Provide the name(s) of surface water bodies receiving discharges or potential discharges from the construction site that are on the latest EPA-approved CWA 303(d) List of impaired waters. The EPA-approved CWA 303(d) List of impaired waters in Texas can be found at:  
[www.tceq.texas.gov/waterquality/assessment/305\\_303.html](http://www.tceq.texas.gov/waterquality/assessment/305_303.html)

NOTE: Do not use any "draft" documents.

### **k) Discharges to the Edwards Aquifer Recharge Zone and Certification**

See maps on the TCEQ website to determine if the site is located within the Recharge Zone, Contributing Zone, or Contributing Zone within the Transition Zone of the Edwards Aquifer at: [www.tceq.texas.gov/field/eapp/viewer.html](http://www.tceq.texas.gov/field/eapp/viewer.html)

If the discharge or potential discharge is within the Recharge Zone, Contributing Zone, or Contributing Zone within the Transition Zone of the Edwards Aquifer, a site specific authorization approved by the Executive Director under the Edwards Aquifer Protection Program (30 TAC Chapter 213) is required before construction can begin. The certification must be answered "Yes" for coverage under the Construction General Permit. The TCEQ approved plan must be readily available for TCEQ staff to review at the time that the NOI is submitted.

The general permit requires the approved Contributing Zone Plan or Water Pollution Abatement Plan to be included or referenced as a part of the Stormwater Pollution Prevention Plan.

For questions regarding the Edwards Aquifer Protection Program, contact the appropriate TCEQ Regional Office. For projects in Hays, Travis and Williamson Counties: Austin Regional Office, 12100 Park 35 Circle, Austin, TX 78753, 512-339-2929. For Projects in Bexar, Comal, Kinney, Medina and Uvalde Counties: TCEQ San Antonio Regional Office, 14250 Judson Rd., San Antonio, TX 78233-4480, 210-490-3096.

## **5. CERTIFICATIONS**

Failure to indicate **Yes** to ALL of the certification items may result in denial of coverage under the general permit.

### **a) Certification of Understanding the Terms and Conditions of Construction General Permit (TXR150000)**

Provisional coverage under the Construction General Permit (TXR150000) begins 7 days after the completed paper NOI is postmarked for delivery to the TCEQ. (Electronic applications submitted through ePermits have immediate provisional coverage). You must obtain a copy and read the Construction General Permit before submitting your application. You may view and print the Construction General Permit for which you are seeking coverage at the TCEQ web site: [www.tceq.texas.gov/goto/construction](http://www.tceq.texas.gov/goto/construction)

### **b) Certification of Legal Name**

The full legal name of the applicant as authorized to do business in Texas is required. The name must be provided exactly as filed with the Texas Secretary of State (SOS), or on other legal documents forming the entity, that is filed in the county where doing business. You may contact the SOS at (512)463 5555, for more information related to filing in Texas.

### **c) Understanding of Notice of Termination**

A permittee shall terminate coverage under this Construction General Permit through the submittal of a NOT when the operator of the facility changes, final stabilization has been reached, the discharge becomes authorized under an individual permit, or the construction activity never began at this site.

### **d) Certification of Stormwater Pollution Prevention Plan**

The SWP3 identifies the areas and activities that could produce contaminated runoff at your site and then tells how you will ensure that this contamination is mitigated. For example, in describing your mitigation measures, your site's plan might identify the devices that collect and

filter stormwater, tell how those devices are to be maintained, and tell how frequently that maintenance is to be carried out. You must develop this plan in accordance with the TCEQ general permit requirements. This plan must be developed and implemented before you complete this NOI. The SWP3 must be available for a TCEQ investigator to review on request.

### **Operator Certification:**

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

### **IF YOU ARE A CORPORATION:**

The regulation that controls who may sign an NOI or similar form is 30 Texas Administrative Code §305.44(a)(1) (see 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)(3) (see 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 statute(s) 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).

# 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 NOI form.
- Do not mail this form to the same address as your NOI.

**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

General Permit:

TXR150000

1. Check / Money Order No: \_\_\_\_\_
2. Amount of Check/Money Order: \_\_\_\_\_
3. Date of Check or Money Order: \_\_\_\_\_
4. Name on Check or Money Order: \_\_\_\_\_
5. NOI INFORMATION

If the check is for more than one NOI, list each Project/Site (RE) Name and Physical Address exactly as provided on the NOI. DO NOT SUBMIT A COPY OF THE NOI WITH THIS FORM AS IT COULD CAUSE DUPLICATE PERMIT ENTRIES.

See Attached List of Sites (If more space is needed, you may attach a list.)

Project/Site (RE) Name: \_\_\_\_\_

Project/Site (RE) Physical Address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Staple Check in This Space**

**APPENDIX D**

**NOTICE OF TERMINATION (NOT) FORMS**



# Notice of Termination (NOT) for Authorizations under TPDES General Permit TXR150000 General Information and Instructions

## GENERAL INFORMATION

Where to Send the Notice of Intent (NOI):

BY REGULAR U.S. MAIL

Texas Commission on Environmental Quality  
Stormwater Processing Center (MC228)  
P.O. Box 13087  
Austin, TX 78711-3087

BY OVERNIGHT/EXPRESS MAIL

Texas Commission on Environmental Quality  
Stormwater Processing Center (MC228)  
12100 Park 35 Circle  
Austin, TX 78753

TCEQ Contact list:

Application Processing Questions relating to the status and form requirements:	512/239-3700 or <a href="mailto:swpermit@tceq.texas.gov">swpermit@tceq.texas.gov</a>
Technical Questions relating to the general permit:	512/239-4671
Environmental Law Division:	512/239-0600
Records Management for obtaining copies of forms submitted to TCEQ:	512/239-0900
Information Services for obtaining reports from program data bases (as available):	512/239-DATA (3282)
Financial Administration's Cashier's office:	512/239-0357 or 512/239-0187

### Notice of Termination Process:

A Notice of Termination is **effective on the date postmarked for delivery to TCEQ**.

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.

### General Permit (Your Permit)

Coverage under the general permit begins **48 hours after a completed NOI is postmarked for delivery to the TCEQ**. You should have a copy of your general permit when submitting your application. You may view and print your permit for which you are seeking coverage, on the TCEQ web site [www.tceq.texas.gov](http://www.tceq.texas.gov)

### General Permit Forms

The Notice of Intent (NOI), Notice of Termination (NOT), and Notice of Change (NOC) with instructions are available in Adobe Acrobat PDF format on the TCEQ web site [www.tceq.texas.gov](http://www.tceq.texas.gov).

### Change in Operator

An authorization under the general permit is not transferable. If the operator or owner of the regulated entity changes, the present permittee must submit a Notice of Termination and the new operator must submit a Notice of Intent. The NOT and NOI must be submitted not later than 10 days prior to the change in Operator status.

### TCEQ Central Registry Core Data Form

The Core Data Form has been incorporated into this form. **Do not send a core data form to TCEQ.**

After final acknowledgment of coverage under the general permit, the program will assign a Customer Number (CN) and Regulated Entity Number (RN). For Construction Permits, a new RN will be assigned for each Notice of Intent filed with TCEQ, since construction project sites can overlap with other Customers. The RN assigned to your construction project will not be assigned to any other TCEQ authorization.

You can find the information on the Central Registry web site at [www12.tceq.texas.gov/crpub/](http://www12.tceq.texas.gov/crpub/). You can search by the Regulated Entity (RN), Customer Number (CN) or Name (Permittee), or by your permit number under the search field labeled "Additional ID". Capitalize all letters in the permit number.

The Customer (Permittee) is responsible for providing consistent information to the TCEQ, and for updating all CN and RN data for all authorizations as changes occur. For General Permits, a Notice of Change form must be submitted to the program area.

**Annual Water Quality Fee:** This fee is assessed to operators with an active authorization under the general permit on September 1 of each year. The operator 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 received by TCEQ after the due date. Annual fee assessments cannot be waived as long as the authorization under the general permit is active on September 1.

It's important for the operator to submit a **Notice of Termination (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.

- **Mailed Payments:**

You must return your payment with the billing coupon provided with the billing statement.

- **ePAY Electronic Payment:**

Go to [www6.tceq.texas.gov/epay/](http://www6.tceq.texas.gov/epay/)

You must enter your account number provided at the top portion of your billing statement. Payment methods include Mastercard, Visa, and electronic check payment (ACH). A transaction over \$500 can only be made by ACH.

## INSTRUCTIONS FOR FILLING OUT THE NOT FORM

### A. OPERATOR (current permittee.)

1. TCEQ Issued Customer Number (CN)

2. Legal Name of Operator

The operator must be the same entity as previously submitted on the original Notice of Intent for the permit number provided.

3. Operator Mailing Address

Provide a complete mailing address for receiving mail from the TCEQ. Update the address if different than previously submitted in the Notice of Intent or Notice of Change.

4. Phone Number, Fax Number, and E-mail Address

Provide updated contact information.

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

1. Regulated Entity Reference Number (RN)

2. Site/Project Name/Regulated Entity

Provide the name of the site as previously submitted in the Notice of Intent for the permit number provided.

3. Site/Project (RE) Physical Address

Provide the physical address or location access description as previously submitted for the permit number provided.

### C. REASON FOR TERMINATION

Indicate the reason for terminating the permit by checking one of the options. 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. The termination is effective on the date postmarked for delivery to TCEQ.

### D. CERTIFICATIONS

The certification must bear an original signature of a person meeting the signatory requirements specified under [30 Texas Administrative Code \(TAC\) §305.44](#).

#### IF YOU ARE A CORPORATION:

The regulation that controls who may sign an NOI or similar form is 30 Texas Administrative Code §305.44(a)(1) (see 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.

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§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.

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(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).

**APPENDIX E**  
**INSPECTION AND MAINTENANCE FORMS**















